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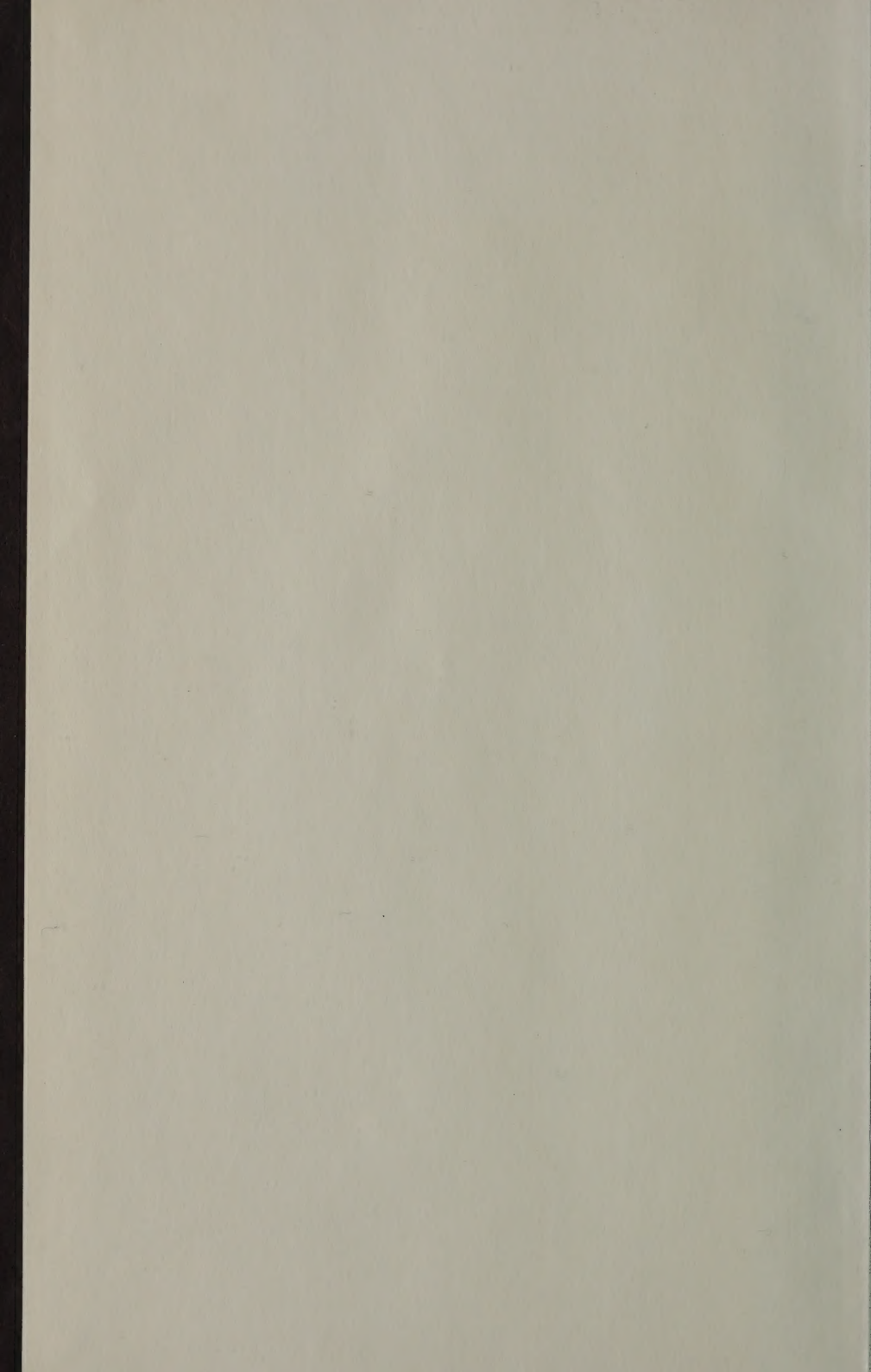


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MONTANA LEGISLATIVE COUNCIL
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HOUSE JOURNAL

OF THE

Thirty-sixth Legislative Assembly

OF THE

STATE OF MONTANA

Held at Helena, the Seat of Government of Said State,
Commencing January 5, 1959, and
Ending March 5, 1959.

ALLEN H. DONOHUE,
Chief Clerk.

ROSEMARY S. ACHER,
Journal Clerk.

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OFFICERS AND MEMBERS

OF THE

Thirty-sixth Legislative Assembly of the State of Montana 1959

J. HUGO ARONSON, GOVERNOR

Paul Cannon, Lieutenant Governor and President of the Senate.

John J. MacDonald, Speaker of the House.

David F. James, President Pro Tem of the Senate.

Dave M. Manning, President Pro Tem (Ad Interim).

38 Democrats
17 Republicans
1 Independent

Members of Senate

56 Senators

NAME	RESIDENCE	COUNTY	POLITICS
Anderson, Dr. Henry H.	119 E. 5th, Libby	Lincoln	Democrat
Anderson, Roswell H.	Wibaux	Wibaux	Republican
*Balgord, Oscar P.	Lavina	Golden Valley	Republican
Beley, Ward H.	Harlowton	Wheatland	Democrat
Bovey, Charles A.	P. O. Box 1653, Great Falls	Cascade	Democrat
*Brenner, J. S.	Grant	Beaverhead	Republican
Brownfield, Ben	Hammond	Carter	Republican
*Carney, John E. "Ed"	Scobey	Daniels	Democrat
*Clark, Earl E.	Roundup	Musselshell	Democrat
Cole, Kenneth	Winnett	Petroleum	Republican
Cotton, Robert S.	Glasgow	Valley	Democrat
Cumming, Hugh C.	Drummond	Granite	Democrat
Dussault, Edward T.	Western Bank Bldg., Missoula	Missoula	Democrat
*Durkee, Robert A.	1—5th St., Havre	Hill	Democrat
Goodwin, Lester C.	Townsend	Broadwater	Democrat
*Grandey, Charles W.	305 MacDonald Ave., Terry	Prairie	Republican
*Grant, R. A. "Ray"	1502 Pleasant St., Miles City	Custer	Democrat
Groff, William A.	Victor	Ravalli	Democrat
*Hagenston, A. S.	216 Slocum, Glendive	Dawson	Democrat
Harken, R. C.	Forsyth	Rosebud	Independent
Hibbs, Rex	15 Valley Dr., Billings	Yellowstone	Republican
*Hofland, J. M.	Circle	McCone	Democrat
*James, David F.	Joplin	Liberty	Democrat
*Keister, Earl C.	Conrad	Pondera	Democrat
Keller, Webster	Fishtail	Stillwater	Democrat
LaCombe, C. E.	Superior	Mineral	Democrat
*Lehrkind, Carl, Jr.	610 S. Willson, Bozeman	Gallatin	Democrat
*Mackay, William R.	Roscoe	Carbon	Republican
*Mahoney, Charles H.	Jordan	Garfield	Republican
Mahoney, Eugene H.	Thompson Falls	Sanders	Democrat
*Manning, Dave M.	Hysham	Treasure	Democrat
†Mannix, William T. J. "Ted"	708 Milwaukee Ave., Deer Lodge	Powell	Republican
*McDonnell, A. Ronald	Big Timber	Sweetgrass	Republican
McGowan, Gordon	Highwood	Chouteau	Democrat
McKenna, George S.	Geyser	Judith Basin	Democrat
McKenna, James E.	Bank-Electric Bldg., Lewistown	Fergus	Democrat
Michels, Lloyd J.	Medicine Lake	Sheridan	Democrat
*Minette, Carl P.	Cut Bank	Glacier	Democrat
Morrow, Donald J.	Baker	Fallon	Democrat
*Nees, Stanley R.	Poplar	Roosevelt	Democrat
*Nixon, Richard	Hogeland	Blaine	Democrat
Reardon, Frank D.	801 Maryland, Butte	Silver Bow	Democrat
Rice, Paul R.	Pendroy	Teton	Democrat
Rieder, Arnold	Boulder	Jefferson	Democrat
*Ringling, Paul T.	White Sulphur Springs	Meagher	Democrat
Robinson, Fred L.	Malta	Phillips	Republican
*Ruane, Michael E.	620 W. 4th, Anaconda	Deer Lodge	Democrat
Sagunsky, Walter G.	Sheridan	Madison	Republican
*Scofield, Charles L.	Broadus	Powder River	Republican
Siderius, George	Somers Stage, Kalispell	Flathead	Democrat
*Smith, J. Miller	730 8th Ave., Helena	Lewis and Clark	Republican
*Spear, W. B.	Kirby	Big Horn	Republican
*Stein, Ben	Shields Rte., Livingston	Park	Democrat
*Streeter, Bertha E.	E. Lake Shore, Bigfork	Lake	Republican
Thiessen, C. R.	Lambert	Richland	Democrat
Wilson, George W.	Shelby	Toole	Democrat

*Holdover Senator.

†Elected to succeed Senator Don F. Valiton, resigned, holdover.

House of Representatives

61 Democrats
31 Republicans
2 Independents
94 Representatives

NAME	RESIDENCE	COUNTY	POLITICS
Aasheim, Magnus.....	Antelope.....	Sheridan.....	Democrat
Abel, Keith C.....	432 12th Ave., Havre.....	Hill.....	Democrat
Anderson, Jerome.....	2806 Hoover Lane, Billings.....	Yellowstone.....	Republican
Angstman, Jess L.....	Masonic Temple Bldg., Havre.....	Hill.....	Democrat
Babcock, Tim M.....	2530 Augusta Lane, Billings.....	Yellowstone.....	Republican
Bardanouve, Francis.....	Harlem.....	Blaine.....	Democrat
Barnard, Lloyd.....	Saco.....	Valley.....	Democrat
Barnes, Phil H.....	Big Horn.....	Treasure.....	Democrat
Barrett, Fred E.....	Chester.....	Liberty.....	Democrat
Bashor, Leonard G.....	Ferdig.....	Toole.....	Democrat
Battin, James F.....	2228 Maple, Billings.....	Yellowstone.....	Republican
Bentz, C. C.....	Ekalaka.....	Carter.....	Republican
Bradford, Truman G.....	1st Nat'l Bank Bldg., Great Falls.....	Cascade.....	Democrat
Broeder, Fred O.....	Route 4, Kalispell.....	Flathead.....	Republican
Casey, Joseph T.....	413 Broadway, Helena.....	Lewis & Clark.....	Democrat
Cavan, John J., Jr.....	1336 Ave. D., Billings.....	Yellowstone.....	Republican
Cerovski, Charles.....	110 2nd Ave. S., Lewistown.....	Fergus.....	Democrat
Clowes, Homer J.....	338 5th Ave. So., Glasgow.....	Valley.....	Democrat
Corcoran, Dan H.....	Ryegate.....	Golden Valley.....	Republican
Curry, Luke F.....	404 6th Ave. N., Great Falls.....	Cascade.....	Democrat
Daniels, M. K.....	101 N. Main, Deer Lodge.....	Powell.....	Democrat
Devier, John R.....	C. B. Route, Glendive.....	Dawson.....	Democrat
DeWolfe, Percy.....	Babb.....	Glacier.....	Democrat
Elting, A. W. "Andy".....	Prima Vista, Miles City.....	Custer.....	Independent
Emmons, John M.....	1813 W. Park, Anaconda.....	Deer Lodge.....	Democrat
Eskildsen, Leslie.....	Malta.....	Phillips.....	Democrat
Felt, James R.....	303 Park Hill Dr., Billings.....	Yellowstone.....	Republican
Fjare, Orvin B.....	Big Timber.....	Sweet Grass.....	Republican
Fladager, Milton W.....	Peerless.....	Daniels.....	Republican
Gerard, Sumner.....	Ennis.....	Madison.....	Republican
Gilfeather, P. J.....	Ford Building, Great Falls.....	Cascade.....	Democrat
Gill, Henry L.....	Thompson Falls.....	Sanders.....	Democrat
Giancy, William J.....	Roundup.....	Musselshell.....	Democrat
Gleed, George E.....	815 S. Pacific, Dillon.....	Beaverhead.....	Republican
Gunderson, Harold O.....	800 34th N., Great Falls.....	Cascade.....	Democrat
Haines, H. H.....	Terry.....	Prairie.....	Republican
Haines, Tom.....	9 Janice Dr., Missoula.....	Missoula.....	Republican
Hanks, Virgil.....	Star Route, Gallatin Gateway.....	Gallatin.....	Democrat
Harball, Charles H.....	Polson.....	Lake.....	Democrat
Hawks, Clyde L.....	St. Xavier.....	Big Horn.....	Republican
Healy, John V.....	709 E. Galena, Butte.....	Silver Bow.....	Democrat
Helding, Oscar.....	937 S. 5th St. W., Missoula.....	Missoula.....	Democrat
Higham, Weldon O.....	Belfry.....	Carbon.....	Republican
Holecek, Joseph F.....	301 Pine St., Lewistown.....	Fergus.....	Democrat
Holtz, Ronald W.....	Flowerree.....	Cascade.....	Democrat
Howard, George T.....	408 E. Broadway, Missoula.....	Missoula.....	Republican
Jardine, John H.....	Whitehall.....	Jefferson.....	Democrat
Jensen, Arthur N.....	Superior.....	Mineral.....	Democrat
Karlberg, John.....	304 So. Davis St., Missoula.....	Missoula.....	Democrat
Kiff, Claude.....	Ringling.....	Meagher.....	Republican
Kolar, Ed L.....	Geyser.....	Judith Basin.....	Republican
Kvaalen, Oscar S.....	Lambert.....	Richland.....	Republican
Langston, Edgar.....	Harlowton.....	Wheatland.....	Democrat
Lees, Curtis E.....	2704 Lyndale Lane, Billings.....	Yellowstone.....	Democrat
Leuthold, John H.....	Molt.....	Stillwater.....	Republican
Loman, Ray M.....	Ronan.....	Lake.....	Republican
Loughran, Mike.....	828 W. Quartz, Butte.....	Silver Bow.....	Democrat
MacDonald, John J.....	Jordan.....	Garfield.....	Democrat
McGaffick, George.....	31 E. Lyndale, Helena.....	Lewis & Clark.....	Democrat

HOUSE OF REPRESENTATIVES — (Continued)

Names	RESIDENCE	COUNTY	POLITICS
McGarvey, Dale L.....	1025 3rd Ave. E., Kalispell.....	Flathead.....	Democrat
McNally, Owen P.....	910 E. 6th St., Anaconda.....	Deer Lodge.....	Ind.-Demo.
McOmber, W. Gordon.....	Fairfield.....	Feton.....	Democrat
Mernin, Henry F.....	1305 Silver Bow Homes, Butte.....	Silver Bow.....	Democrat
Morrison, Dr. Geo. A.....	2108 3rd Ave. No., Great Falls.....	Cascade.....	Democrat
Moudree, Herman L.....	Toston.....	Broadwater.....	Democrat
Nees, H. R. "Ike".....	Rosebud.....	Rosebud.....	Democrat
Nelstead, Ted E.....	118 N. Merriam, Miles City.....	Custer.....	Republican
Nichols, Norris.....	Stevensville.....	Ravalli.....	Republican
Page, Mrs. Dorothy M. "Dolly".....	Philipsburg.....	Granite.....	Democrat
Page, Winfield E.....	507 North Ave. E., Missoula.....	Missoula.....	Republican
Parker, Cecil C.....	Valier.....	Pondera.....	Democrat
Paulsen, Harold L.....	1114 Prospect, Helena.....	Lewis & Clark.....	Republican
Picard, Edward R. "Eddie".....	1915 S. Idaho, Butte.....	Silver Bow.....	Democrat
Powell, Lisle D.....	Biddle.....	Powder River.....	Republican
Powers, Maurice.....	37 W. Copper, Butte.....	Silver Bow.....	Democrat
Raundal, Robert S.....	Winnett.....	Petroleum.....	Democrat
Reeder, Harrison.....	Route 1, Bozeman.....	Gallatin.....	Democrat
Regan, Leonard D.....	2805 3rd Ave. N., Great Falls.....	Cascade.....	Democrat
Reinecke, Fred W.....	Wibaux.....	Wibaux.....	Republican
Rindy, Duane.....	Baker.....	Fallon.....	Democrat
Sales, Walter L.....	311 S. Willson, Bozeman.....	Gallatin.....	Republican
Schwinden, Ted.....	Wolf Point.....	Roosevelt.....	Democrat
Shea, Dennis M.....	2615 Phillips St., Butte.....	Silver Bow.....	Democrat
Sheehy, John C.....	1041 Poly Dr., Billings.....	Yellowstone.....	Democrat
Shelden, Arthur H.....	Route 1, Libby.....	Lincoln.....	Democrat
Sheldon, Clarence E.....	Holt Stake, Kalispell.....	Flathead.....	Democrat
Strnisha, Joseph.....	Rt. 1, Box 97, Hamilton.....	Ravalli.....	Democrat
Tonner, L. P. "Cy".....	Martin City.....	Flathead.....	Democrat
Walton, Clarence E.....	Wilsall.....	Park.....	Republican
Wayrynen, R. J. "Ray".....	133 E. Broadway, Butte.....	Silver Bow.....	Democrat
Wold, John O., Jr.....	Laurel.....	Yellowstone.....	Democrat
Wood, James, Jr.....	Loma.....	Chouteau.....	Democrat
Woodring, Ralph.....	Shields Route, Livingston.....	Park.....	Democrat
Wright, J. Stewart.....	Weldon Route, Wolf Point.....	McCone.....	Republican

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1	Introduced by Glancy et al: A bill for an act entitled: "An act to authorize and direct that an agreement be entered into between the unemployment compensation commission and the United States department of labor providing for temporary additional payments to individuals who have exhausted their rights to unemployment compensation."	3, 61, 95, 106, 146, 149, 165, 166.
2	Introduced by Barnard: A bill for an act entitled: "An act to appropriate money for the legislative assembly and for the payment of per diem to the officers and attaches and for incidental expenses of the Thirty-sixth Legislative Assembly of the State of Montana"	5, 25, 26, 27, 32, 33, 35.
3	Introduced by Barnard: A bill for an act entitled: "An act to fix the compensation of officers and employees of the Thirty-sixth Legislative Assembly of the State of Montana."	22, 26, 27, 32, 33, 35.
4	Introduced by McGarvey, Holding, Felt, Schwinden, Jardine: A bill for an act entitled: "An act repealing sections 48-130, 48-131, 48-132, 48-133 inclusive, relating to declaration of marriages, Revised Codes of Montana, 1947."	25, 41, 47, 60, 67, 69, 74, 281.
5	Introduced by McGarvey, Tonner, Barrett, Sheldon (Flathead), Cerovski, Wold. A bill for an act entitled: "An act to provide for open public meetings of all governmental bodies, boards, bureaus, commissions or agencies of the state or any political subdivision of the State of Montana, or organizations or agencies supported in whole or in part by public funds or expending public funds."	25, 83, 338, 403, 437, 454, 461, 462, 476, 576.
6	Introduced by Mernin: A bill for an act entitled: "An act to amend section 48-134, RCM, 1947, relating to the premarital test certificate required of applicants for marriage licenses to provide that persons issuing marriage licenses must demand satisfactory evidence of age from applicants for such license."	25, 137, 154, 179, 185, 361, 378, 397.
7	Introduced by Tonner, Harball, McGarvey, Gunderson, Rindy, Sheldon (Flathead): A bill for an act	

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	entitled: "An act to amend section 25-410 of the Revised Codes of Montana, 1947, relating to fees for witnesses in criminal actions or coroner's inquests; providing that witnesses in courts not of record in criminal actions and coroner's inquests shall receive three dollars per day and containing a repealing clause."	26, 41, 44, 52, 59, 85.
8	Introduced by Tonner, Harball, McGarvey, Gundersen, Rindy, Sheldon (Flathead): A bill for an act entitled: "An act to amend section 25-403 of the Revised Codes of Montana, 1947, relating to compensation of jurors in courts not of record and at coroner's inquest; providing that jurors in courts not of record shall receive five dollars per day and prospective jurors shall receive three dollars per day; providing that jurors in coroner's inquests shall receive five dollars per day and containing a repealing clause."	26, 60.
9	Introduced by Tonner, Harball, McGarvey, Gundersen, Rindy, Sheldon (Flathead): A bill for an act entitled: "An act to amend section 25-409 of the Revised Codes of Montana, 1947, relating to fees for witnesses in courts not of record in civil actions; providing that witnesses in courts not of record in civil actions and proceedings shall receive three dollars for each day in attendance and containing a repealing clause."	26, 42, 44, 52, 59, 85.
10	Introduced by Cerovski, Gerard, Page (Granite): A bill for an act entitled: "An act to amend sections 10-611 and 10-633, Revised Codes of Montana 1947, relating to hearings had in juvenile courts providing for the admission of the general public and publicity in certain cases; repealing all acts or parts of acts in conflict herewith, and providing for an effective date of this act."	30, 77.
11	Introduced by McGarvey, Haines (Missoula), Sales Hanks, Reeder, Devier: A bill for an act entitled: "An act to establish a permanent law enforcement academy for the State of Montana, providing for an advisory board to govern such academy, providing for powers and duties of the advisory board establishing rights of officers attending the academy, providing that the expenditure of county, city, town and municipal funds for this purpose shall be a lawful expenditure, providing for an effective date and repealing all other acts and parts of acts in conflict herewith."	30, 81, 89, 105, 106, 113, 237, 254, 258, 266.
12	Introduced by Anderson, Felt, Battin, Babcock, Sheehy, Lees, Wold, Cavan: A bill for an act entitled: "An act to amend section 75-1102 of the Revised Codes of Montana, 1947, relating to the	

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	objects and purposes of Eastern Montana College of Education; providing that one of the objects and purposes of said Eastern Montana College of Education be to instruct students in arts and sciences and containing a repealing clause.".....	32, 114, 138, 154, 415, 436, 460.
13	Introduced by Woodring, Walton, Hanks: A bill for an act entitled: "An act to amend section 16-1155 of the Revised Codes of Montana, 1947, relating to disposal of moneys received from the leasing of fair grounds to provide that all money received from the leasing of fair grounds shall be used by the Board of County Commissioners in the care and maintenance of the county fair grounds and buildings."	32, 52, 63, 67, 72, 137.
14	Introduced by Bardanouve, Parker, Strnisha, Broeder: A bill for an act entitled: "An act to amend section 41, chapter 263, Laws of Montana, 1955, relating to speed restrictions and basic rule for speed; by establishing a maximum daylight speed limit; by providing that all acts or parts of acts in conflict herewith are hereby repealed; by providing for effective date of act."	36, 49, 60, 67, 69, 74, 645.
15	Introduced by Lees, Haines (Missoula), Gerard Morrison, Schwinden, Emmons, McGarvey: A bill for an act entitled: "An act prescribing rules and regulations for numbering and registering motorboats and vessels in the State of Montana; defining terms and designating the Montana State Board of Equalization as the state agency responsible for the administration of said act in the State of Montana; providing minimum equipment requirements for motorboats and vessels; establishing safety regulations for the use and operation of motorboats and vessels in the State of Montana; establishing safety regulations for the use of water-skis, surfboards and similar devices; providing penalties for violation of said act; repealing sections 94-35-266, 94-35-267, and 94-35-268 of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with this act; providing a savings clause and effective date.".....	36, 41, 217, S-217, 219, 252, 268, 273, 277, 709, 739, 742, 793, 807, 808, 822, 823, 827.
Sub. 15	Introduced by Public Health, Morals and Safety Committee: A bill for an act entitled: "An act prescribing rules and regulations for numbering and registering motorboats and vessels in the State of Montana; defining terms and designating the Montana State Board of Equalization as the state agency responsible for the administration of said act in the State of Montana; provid-	

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	ing minimum equipment requirements for motorboats and vessels; establishing safety regulations for the use and operation of motorboats and vessels in the State of Montana; establishing safety regulations for the use of water-skis, surfboards and similar devices; providing penalties for violation of said act; repealing sections 94-35-266, 94-35-267, and 94-35-268 of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with this act; providing a savings clause and effective date."	217, 219, 252, 268, 273, 277, 709, 739, 742, 793, 807, 808, 822, 823, 827.
16	Introduced by Felt, Gerard, Wood, Howard, Reinecke. Barrett: A bill for an act entitled: "An act to amend sections 71-106, 71-222 and 71-311, Revised Codes of Montana, 1947, by adding provisions providing for an additional six (6) mill levy be in addition to the six (6) mills heretofore provided for in said sections; and repealing all acts or parts of acts in conflict herewith."	36, 152, 153, 177, 219, 232, 237.
17	Introduced by Felt, Gerard, Wood, Howard, Reinecke. Barrett: A bill for an act entitled: "An act to authorize in certain instances the Boards of County Commissioners to levy an additional tax of not to exceed (8) mills for the county poor funds; and providing for an effective date and a repealing clause."	36, 153, 220, 232, 237, 242, 257, 258, 259, 262, 565, 568, 569, 578, 644.
18	Introduced by Haines (Missoula): A bill for an act entitled: "An act to amend section 7, of chapter 142, of the Session Laws of Montana, 1949, relating to the kinds of certificates for teaching, to provide for higher requirements for persons requesting the elementary school standard certificate and the elementary school advanced certificate and providing for an elementary rural certificate and repealing all acts and parts of acts in conflict herewith."	37, 66, 249.
19	Introduced by Leuthold, Lees, Higham, Morrison: A bill for an act entitled: "An act to amend section 10-623, Revised Codes of Montana, 1947, relating to the duties and powers of the probation department and requiring that a monthly report be filed with the State Department of Public Welfare, and repealing all acts and parts of acts in conflict herewith."	37, 66, 69, 83, 84, 87, 666.
20	Introduced by Helding, Shelden, Karlberg, Strnisha. Emmons, Glancy, Healy, Picard: A bill for an act entitled: "An act to provide for the welfare of	

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	people who work; establishing a minimum wage for certain employees in the State of Montana; defining terms; providing for the keeping of records; providing civil remedy; providing penalties; repealing conflicting acts."	38, 91, 92, 106, 145, 146, 149, 418.
21	Introduced by Tonner, Barnard: A bill for an act entitled: "An act giving authority to the State Superintendent of Public Instruction to request, accept and use federal funds for school building construction or for any other school purpose; and providing an effective date."	38, 84.
22	Introduced by Gunderson, Healy, Anderson, Holding, Reeder, Wold: A bill for an act entitled: "An act to amend section 23-1608, R.C.M., 1947, relating to the arrangement and adjustment of voting machines, to provide that the ballot used on voting machines shall be arranged to conform as closely as possible to the arrangement of paper ballots used in precincts which do not have voting machines; to provide for the placing of the names of non-partisan judicial candidates in a position on voting machines similar to the position occupied by non-partisan judicial candidates upon paper ballots; and repealing section 23-2013, R.C.M., 1947."	38, 65, 77, 85, 94, 151, 179, 185, 286, 307, 308, 342, 355.
23	Introduced by Eskilden, Bardanouve: A bill for an act entitled: "An act to amend section 3-208, Revised Codes of Montana, 1947, relating to charges of public warehousemen, to increase certain charges and to define immediate delivery of identical grain as limited to seventy-two (72) hours; and repealing all acts or parts of acts in conflict herewith."	39, 42, 47, 52, 60, 138.
24	Introduced by Haines (Missoula), Howard, Page (Missoula): A bill for an act entitled: "An act to provide for the establishment and maintenance of joint county youth guidance centers and juvenile detention homes; and repealing all acts and parts of acts in conflict herewith."	41, 72, 85, 92, 226.
25	Introduced by McNally, Cerovski, Picard, Casey, Glancy, Sheehy, Powers, Elting, Higham, Emmons, Wayrynen, Shea, Healy, Holding: A bill for an act entitled: "An act creating a special fund to be managed by the State Board of Examiners for the benefit of the Montana State Hospital, declaring the purposes of the fund, fixing the duration of the fund and providing for the repeal of conflicting acts and parts of acts."	42, 61, 85, 273.

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26	Introduced by Glancy, Langston, Wold, Babcock: A bill for an act entitled: "An act relating to cancellation of record of special improvement district warrants and liability accounts in rural improvement districts in counties in which warrants or liability accounts were incurred or issued prior to February 25, 1929, and the liability of which has been extinguished by reason of issuance of tax deeds, by application of statute of limitations, or other laws of the State of Montana.".....	42, 52, 60, 67, 69, 74, 154, 168, 169, 217, 218.
27	Introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend section 27-403 of the Revised Codes of Montana of 1947, relating to definition of words and terms used in the Montana milk control law, by specifying two classes of milk for the purposes of the act and the particular products to be included in each class; section 27-404 of the Revised Codes of Montana of 1947, as amended by chapter 249 of the laws of 1957, relating to membership on the Milk Control Board, compensation of members, and the calling of meetings, by providing for a five (5) member board to be appointed by the Governor, five (5) year terms of office, per diem for expenses, and call of meetings by the chairman or a majority of the board; section 27-405 of the Revised Codes of Montana of 1947, relating to the general powers of the Milk Control Board, by providing the Milk Control Board shall have the power to take depositions at its offices, agents of the board may call and give notice of price hearings when the board is not in session, and the method whereby subpoenas issued by the board may be enforced by District Courts; section 27-406 of the Revised Codes of Montana of 1947, relating to establishment of natural marketing areas, by providing the entire state shall be embraced in not less than five (5) natural marketing areas, by providing methods for establishment of such areas and adjustment or alteration of their boundaries under certain circumstances; section 27-407 of the Revised Codes of Montana of 1947, relating to orders fixing prices, by specifying the types and contents of notices of hearings to be given by the board and what shall be contained in price orders; section 27-409 of the Revised Codes of Montana of 1947, relating to license fees, by providing for an annual license fee of two dollars (\$2.00) and, in addition thereto, an annual assessment upon producers, producer-distributors, and distributors to be made by the Milk Control Board for the purpose of enforcing and administering this act; section 27-410 of the Revised Codes of Montana of 1947, relating to application for licenses, by removing therefrom the provision that the license year shall begin on January first of each year	

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	and the provision relating to reduced license fees under certain circumstances; section 27-414 of the Revised Codes of Montana of 1947, relating to rules of fair trade practices, by providing the Milk Control Board shall formulate rules and regulations concerning certain practices which are hereby declared unfair, unlawful and not in the public interest, section 27-416 of the Revised Codes of Montana of 1947, relating to reports of milk dealers, by requiring the Milk Control Board to adopt a uniform system of accounting to be used by distributors to account for the usage of all milk received by them and by providing specific records which must be kept by distributors; adding new sections to the milk control law to provide for bonding of distributors, appointment and function of local advisory boards when public hearings are scheduled for the purpose of fixing prices, judicial review of orders or decisions of the Milk Control Board, and the method of serving process upon the Milk Control Board; repealing sections 27-412 and 27-419 of the Revised Codes of Montana of 1947; providing that the unconstitutionality of a part of this act shall not affect or impair the remainder; repealing all acts and parts of acts in conflict herewith; and providing this act shall be in full force and effect from and after its passage and approval."	42, 100, 151, 169, 225, 232, 233, 662, 694, 695, 722.
28	Introduced by Daniels: A bill for an act entitled: "An act to approve and legalize and adopt as prima facie the laws of Montana replacement volume number 1 (in two parts) and to adopt as official replacement volume 9 of the Revised Codes of Montana of 1947, as published by the publishers and distributors of said code."	43, 49, 60, 67, 69, 75, 116, 151, 153, 169, 828.
29	Introduced by Committee on Banking and Insurance (by request): A bill for an act entitled: "An act to provide a comprehensive revision, consolidation and classification of the Laws of the State of Montana relating to insurance and to the insurance business; regulating the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign and alien insurance companies, societies, and associations; providing for their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this act may exercise their powers; providing for the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance	

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	business may exercise their powers; providing for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this state; providing for certain powers, rights, obligations, immunities, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; providing for the imposition of licenses, fees, and taxes, and for the disposition thereof; providing for the departmental supervision and regulation of the insurance business within or relative to this state; providing penalties for the violation of this act; providing for an effective date of this act; repealing the following sections of the Revised Codes of Montana, 1947: section 25-101; sections 40-101 through 40-105; sections 40-201 through 40-218; sections 40-301 through 40-323; sections 40-401 through 40-415; sections 40-501 through 40-517; sections 40-601 through 40-609; sections 40-701 through 40-706; section 40-801; sections 40-901 through 40-905; sections 40-1001 through 40-1005; sections 40-1101 through 40-1118; section 40-1204; section 40-1301; section 40-1302 as amended by section 1, chapter 224, Laws of Montana, 1957; sections 40-1303 through 40-1333; sections 40-1401 through 40-1441; sections 40-1501 through 40-1517; sections 40-1601 through 40-1625; sections 40-1701, 40-1702; sections 40-1704 through 40-1722; section 40-1726; sections 40-1801 through 40-1820; sections 40-1901 through 40-1946; sections 40-2001 through 40-2012; sections 40-2101 through 40-2138; sections 40-2201 through 40-2212; sections 40-2301 through 40-2310; sections 40-2401 through 40-2412; section 40-2413 as amended by section 1, chapter 108, Laws of Montana, 1955; sections 40-2414 through 40-2416; and sections 40-2501 through 40-2513; repealing all acts and parts of acts in conflict herewith."	43, 78, 80, 153, 154, 290, 312, 325, 326, 334, 709, 719, 723, 739, 742, 793, 810, 814, 833, 834, 835.
30	Introduced by Tonner, Holding: A bill for an act entitled: "An act to amend section 81-1704 of the Revised Codes of the State of Montana, 1947, relating to the royalty paid for gas and oil on state lands; to provide that such royalty reservation shall be not less than twelve and one-half per centum (12½ %)."	44, 365.
31	Introduced by Daniels, McGarvey, Felt, Anderson, Battin, Cavan, Sheehy, Jardine, Angstman, Bradford, Cerovski: A bill for an act entitled: "An act authorizing and empowering the Supreme Court of the State of Montana to regulate by rules, the pleading, practice and procedure in	

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	civil cases in the courts of the State of Montana, for the purpose of simplifying judicial proceedings and promoting the speedy determination of litigation upon its merits; providing that all present laws relating to pleading, practice and procedure, shall be effective as rules of court until modified or superseded by subsequent court rule, and upon the adoption of any rule pursuant to this act such laws, insofar as they are in conflict therewith, shall thereafter be of no further force and effect; reserving power in the legislature to enact, modify or repeal any statute or any rule adopted pursuant to this act; creating a commission to prepare suggested rules of procedure of the State of Montana and prescribing the membership and powers and duties of said commission; providing for employment of research agencies, if deemed necessary; providing for payment of actual travel and other expenses incurred by members of said commission in the discharge of their duties; providing that all rules adopted under this act shall have the force and effect of statutes and providing for printing of such rules as a part of the Revised Codes of Montana; appropriating funds to carry out the provisions of this act; repealing all acts and parts of acts in conflict herewith and providing for an effective date of this act.".....	45, 60, 81, 114, 120, 124, 126, 577, SS-710, 712, 728, 784, 815, 818, 827.
32	Introduced by Wood, Barnard, Strnisha, Holtz, Gunderson, Langston, Hanks, Nichols, Bentz, McOmber, Leuthold, Powell, Eskildsen, Woodring, Howard, Devier, Kvaalen, Harball, Wold, Holecek: A bill for an act entitled: "An act to amend section 84-1818 Revised Codes of Montana as amended relating to procedure on refund of gasoline license tax and amending chapter 18, title 84, Revised Codes of Montana, 1947, by adding a new section to be numbered 84-1818.1, providing for exemption of gasoline used in farming, providing for an annual agricultural exemption permit; providing for an agricultural exemption invoice and certificate and methods of reporting by dealers and distributors; providing for exemptions of counties, cities, towns, and school districts from state gasoline tax, and providing procedure for obtaining such exemption; providing for rules and regulations to be prescribed by State Board of Equalization; providing for penalties for violation of provisions of this act; providing for a savings clause; providing an effective date and repealing all acts and parts of acts in conflict herewith.".....	45, 278, 335, 341, 342, 349, 661, 740, SA-760, 815, 818, 827.
33	Introduced by Holding, Karlberg, McGaffick, Em-	

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	mons, Sheldon, Howard, Picard, Glancy, Healy, Cerovski: A bill for an act entitled: "An act making it unlawful for any employer to discriminate against individuals over the age of forty-five (45) years, because of their age, in promotion compensation or in terms, conditions or privileges of employment. Repealing all acts or parts of acts in conflict herewith.".....	46, 91, 106, 120, 124, 444, 631, SS-701.
34	Introduced by Haines (Missoula), Page (Missoula), McOmber, Howard: A bill for an act entitled: "An act to amend section 69-2401 of the Revised Codes of Montana, 1947; providing for defining a boarding home or nursing home for aged persons to be a home where one or more aged persons are residing and boarding or receiving nursing care; and repealing all acts and parts of acts in conflict herewith."	46, 61, 65, 67, 72, 84, 94, 98, 709, 742, SA-787, 809, 810, 835.
35	Introduced by Wayrynen: A bill for an act entitled: "An act relating to the regulation of the issue, sale, gift or other disposition, or use of trading stamps, as herein defined, for or with the sale of tangible personal property or services; providing for the escheat to the state of the redeemable face value of trading stamps not redeemed within a specified period of time; providing for penalties for the violation of this act; and providing remedies for the enforcement of this act and repealing all acts and parts of acts in conflict herewith.".....	46, 337.
36	Introduced by Kvaalen, Aasheim, Barnes, Schwinden, Sales, Walton: A bill for an act entitled: "An act to amend section 76-117 of the Revised Codes of Montana, 1947, as enacted by chapter 46, laws of 1951, relating to the change of district name of soil conservation districts by providing for the division or combination or combination and division of soil conservation districts; containing a repealing clause and providing for an effective date."	46, 57, 65, 67, 69, 75, 150, SS-286, 288, 329, 353, 547, 548, 568, 569, 578, 620.
37	Introduced by Kvaalen, Aasheim, Barnes, Sales, Walton, Schwinden: A bill for an act entitled: "An act to amend section 76-102, Revised Codes of Montana, 1947, relating to legislative determinations and declarations of policy for soil conservation districts and section 76-108, Revised Codes of Montana, 1947, relating to the powers of soil conservation districts and supervisors by deter-	

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	mining and authorizing soil conservation districts to include flood prevention and the conservation, development, utilization and disposal of water within their program; providing a repealing clause and effective date of this act.".....	46, 57, 69, 83, 84, 88, 154, SA-167, 219, 225, 228.
38	Introduced by Kvaalen, Aasheim, Barnes, Sales, Walton, Schwinden: A bill for an act entitled: "An act to amend section 76-107 of the Revised Codes of Montana, 1947, relating to the appointment, qualifications and tenure of soil conservation district supervisors by authorizing the supervisors to appoint supervisors for vacancies occurring in said office; providing a repealing clause and effective date of this act.".....	46, 58, 65, 76, 81, 82, 138, SA-150, 168, 169, 217, 218.
39	Introduced by Bradford, Gilfeather: A bill for an act entitled: "An act to amend section 54-125, Revised Codes of Montana, 1947, relating to penalties for violation of the narcotic drug act, to provide for increasing the penalty to one (1) to five (5) years upon conviction of first offense and to provide further for a penalty of from five (5) to twenty (20) years upon a subsequent conviction.".....	47, 66, 76, 83, 84, 88, 228, 236, 242, 255.
40	Introduced by Eskildsen, Woodring, Glancy: A bill for an act entitled: "An act to amend section 9-209, Revised Codes of Montana, 1947, as amended by section 9, chapter 16, laws of 1945, section 1, chapter 93, laws of 1951 and section 1, chapter 4, laws of 1955, relating to the budgets and tax levies of cemetery districts; to provide for an increase from two (2) mills to two and one-half (2½) mills on each dollar of taxable valuation on the property of said cemetery districts.".....	48, 95, 106, 120, 124, 127, 146, 156, 740.
41	Introduced by Abel, McGaffick, Clowes, Angstman, Page (Missoula), Cavan: A bill for an act entitled: "An act to amend section 11-1823 as amended by chapter 78, Montana Session Laws of 1937 and chapter 78, Montana Session Laws of 1949, Revised Codes of Montana, relating to the tax levy for the payment of police reserves in cities and towns of the first and second class in the State of Montana and specifying the limitation of such levies.".....	48, 65, 90, 92, 102, 138, 167, 168, 177, 267, 269, 274, 278.

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42	Introduced by Holding, Schwinden, Nees, Cavan, Hanks, Leuthold, Lees: A bill for an act entitled: "An act to amend section 25-231, Revised Codes of Montana, 1947, as amended by chapter 90, laws of 1953, as amended by chapter 202, laws of 1955, and as amended by chapter 148, laws of 1957, relating to fees of county clerks and recorders; and repealing all acts and parts of acts in conflict herewith."	48, 114, 151, 179, 186, 266, 267, 268, 274.
43	Introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana an amendment to section 20, article VII of the Constitution of the State of Montana relating to the composition, powers and duties of the State Board of Examiners, to provide for the abolishment of the State Board of Prison Commissioners as a constitutional body."	50, 326, 361, 383, 386, 391, 792, 823, 827, 834.
44	Introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act providing for the appointment of custodial officers to assist the warden in the performance of his duties in superintending prison discipline and prison labor; providing for the supervision and control over such employees by the warden; providing for various ranks within such class of employees, and prescribing the salaries thereof; providing for the suspension, demotion and discharge of such employees, and for an appeal from any such action to the Board of State Prison Commissioners; repealing all acts or parts of acts in conflict herewith; and providing for the effective date of the act."	50, 61, 72, 78, 116, 329, 362, 376, 382, 398, 416, 420, 653, 740, SA-762, 815, 818, 827.
45	Introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act to amend section 80-706, Revised Codes of Montana, 1947, relating to the duties of the warden; providing that except as provided by law, the warden has power to appoint and remove all necessary guards and assistants, in and about the prison, subject to the approval of the board as to the number appointed; and repealing all acts or parts of acts in conflict herewith."	50, 61, 65, 67, 69, 75, 654, 673, 674, 675, 708.
46	Introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act to repeal section 80-	

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	721 of the Revised Codes of Montana, 1947, relating to the maintenance and operation of a prison wearing apparel factory; to repeal section 80-722 of the Revised Codes of Montana, 1947, relating to the prison factory revolving fund; to repeal section 80-723 of the Revised Codes of Montana, 1947, relating to the employment of prison labor for the prison wearing apparel factory; to repeal section 80-724, Revised Codes of Montana, 1947, relating to agreements relative to state uses of the products of the prison wearing apparel factory; to repeal section 80-725 of the Revised Codes of Montana, 1947, relating to the establishment of a prison tannery; to repeal section 80-726 of the Revised Codes of Montana, 1947, relating to the operation of the prison tannery; to repeal section 80-727 of the Revised Codes of Montana, 1947, relating to prices charged for treatment of hides; to repeal section 80-728 of the Revised Codes of Montana, 1947, relating to sale of state-owned hides; to repeal section 80-729 of the Revised Codes of Montana, 1947, relating to the supervision of the operation of the tannery; to repeal section 80-730 of the Revised Codes of Montana, 1947, relating to the manufacture and use of prison-made brick; to repeal section 80-734 of the Revised Codes of Montana, 1947, relating to the state prison fund."	50, 61, 90, 106, 120, 136, 143, 267, 274, 275, 301.
47	Introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act to amend section 80-705, Revised Codes of Montana, 1947, as amended by section 1 of chapter 61 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana, 1957, relating to the warden of the state prison, his appointment, salary and removal; providing for the approval of any such appointment by the Board of State Prison Commissioners; providing the qualification requirements of the warden; increasing the warden's salary and providing that he shall receive full maintenance while employed; providing for the service of notice of charges against him at least ten days prior to the date set for hearing; providing good behavior, and for compulsory retirement at the age of sixty-five (65), and for retention beyond that age by the Board of State Prison Commissioners, on a year to year basis; repealing all acts and parts of acts in conflict herewith; and providing for the effective date of this act."	50, 102, 138, 167, 168, 177, 536, 576, 578, 579, 591, 644.
48	Introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act to amend section 80-720, Revised Codes of Montana, 1947, relating to the employment of prisoners at Montana state	

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	prison; to provide that the Board of State Prison Commissioners, upon recommendation of the warden, may make incentive payments of money to prisoners employed in prison industries, to provide that the board shall authorize the payment of wages ranging from two cents to fifty cents per day depending on job grades, to establish certain criteria on which to base such job grades, to provide that all such wage payments shall be paid from the industrial revolving fund, and to repeal all acts or parts of acts in conflict herewith.".....	51, 85, 99, 101, 102, 267, 269, 274, 278.
49	Introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act to amend section 80-714, Revised Codes of Montana, 1947, relating to hours of labor for prison guards; providing that prison guards shall not be required to work more than forty hours or five days a week, except in emergencies; and repealing all acts or parts of acts in conflict herewith.".....	51, 61, 65, 67, 69, 76, 554.
50	Introduced by Powers, Picard, Mernin, Healy, Glancy, Strnisha, McNally: A bill for an act entitled: "An act to amend section 71-1004 of the Revised Codes of Montana of 1947, as amended, relating to the amount of payment to persons having silicosis; repealing all acts and parts of acts in conflict herewith and providing for the effective date of this act.".....	51, 63, 69, 72, 101, 114, 120, 125, 710, 741, SA-770, 815, 818, 827.
51	Introduced by Parker, Aasheim, Nees: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to section 3 of article VII of the qualifications of office of governor, lieutenant-governor, superintendent of public instruction, secretary of state, state auditor, state treasurer, attorney general.".....	51, 259, 278, 289, 320.
52	Introduced by Glead, Gerard, Barrett, Moudree: A bill for an act entitled: "An act to amend section 81-908 of the Revised Codes of Montana, 1947, which section is part of chapter 9 of title 81 relating to the sale of state lands, by providing that limitations as to area and irrigableness shall not apply to lands within a federal irrigation project where the Congress of the United States now or hereafter authorizes water to be furnished to an area exceeding one hundred and sixty (160) irrigable acres.".....	51, 72, 81, 94, 98, 266, 267, 268, 274.

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53	<p>Introduced by Barrett, Aasheim, Fladager, Parker: A bill for an act entitled: "An act to amend section 75-2701, Revised Codes of Montana, 1947, as amended by chapter 216, laws of 1953, relating to earnable compensation and average final compensation of the teachers retirement system, State of Montana, and repealing all acts and parts of acts in conflict herewith.".....</p> <p>Sub. 53—See Index Page 249.</p>	<p>51, 63, 66, 84, S-84, 85, 99, 114, 116, 119, 709, 740, SA-765, 815, 818, 827.</p>
54	<p>Introduced by Shelden (Lincoln), Holding, Karlberg, Holtz, Healy, Strnisha, Jensen, Powers, Page (Granite), Glancy: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to article III of the Constitution of the State of Montana, relating to the rights of the people of the State of Montana; by adding thereto a new section to be known and designated as section 32 of article III, providing that no law shall be adopted denying or abridging the right of employees to organize and bargain collectively, to form, join or assist in representative organizations, to provide by majority selection through free and secret election of such bargaining agent to represent the employees; providing that no law shall abridge the right to provide for union security; providing that the Legislative Assembly may provide by law for uniform application of these principles.".....</p>	<p>53, 394, 424, 454, 461, 477, 486, 731.</p>
55	<p>Introduced by Sheehy, Langston, Glancy, Felt, Babcock, Cavan: A bill for an act entitled: "An act appropriating the sum of \$81,166.60 to pay the claim of Glenn Chamberlain, minor male child, which claim was heard and unanimously approved and allowed in full by the State Board of Examiners on the 18th day of December, 1958, for injuries received, to-wit: Total and permanent blindness in both eyes, and complete loss of the index finger of the right hand on the 8th day of May, 1956, in the impact area of the Montana National Guard firing range near Harlowton, Montana, by reason of the negligence of the Montana National Guard in leaving unexploded 37 MM shells in the impact area, not posting the same, knowing such shells were attractive to children, by reason of which said Glenn Chamberlain, a minor of twelve years of age on the 8th day of May, 1956, picked up and played with one of said unexploded 37 MM shells which exploded in his hand resulting in said injuries."</p>	<p>53, 66, 76, 83, 87, 88, 565, 568, 569, 578, 619.</p>

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56	Introduced by Haines (Missoula), Page (Missoula), Howard, McOmber: A bill for an act entitled: "An act to provide for a school library supervisor in the State Department of Public Instruction; to provide for the appointment; defining his duties and qualifications; and repealing all acts and parts of acts in conflict herewith."	53, 292.
57	Introduced by Loman, Morrison, Howard, Barnard: A bill for an act entitled: "An act to amend section 5, chapter 153 of the Laws of Montana of 1955, as amended by section 1, of chapter 122 of the Laws of Montana of 1957, relating to the appointment and employment of the director, employees and salaries of the Montana State Board of Pardons and providing that all employees excepting the director shall be processed under the joint merit system regarding all personnel matters."	53, 85, 99, 101, 114, 115, 220, S-220, 221, 252, 268, 269, 271, 631.
Sub. 57	Introduced by State Boards and Institutions Committee: A bill for an act entitled: "An act to amend section 5, chapter 153, of the Laws of Montana of 1955, as amended by section 1 of chapter 122 of the Laws of Montana of 1957, relating to the appointment and employment of the director, employees and salaries of the Montana State Board of Pardons and providing that all employees excepting the director shall be processed under the joint merit system regarding all personnel matters, and repealing all acts and parts of acts in conflict herewith, and providing for an effective date."	220, 221, 252, 268, 269, 271, 631.
58	Introduced by Loman, Barrett, Morrison: A bill for an act entitled: "An act providing for the control and regulation of publicity for juvenile court hearing and proceedings, and repealing section 10-633, Revised Codes of Montana, 1947, and containing a repealing clause."	53, 77.
59	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend section 26-202.2, Revised Codes of Montana, 1947, relating to special licenses—tagging of carcasses of game animals; providing that any person obtaining a moose, mountain sheep, bison or buffalo under authority of a license shall not be eligible to obtain another license for the next ten years in any area where such licenses are issued in limited number; providing that any person who did not kill, capture or possess such animal under such license will be eligible to re-apply upon the return of the unused permits; providing for the tagging of the carcasses	

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	of such animals and containing a repealing clause."	53, 89, 99, 114, 116, 118, 169.
60	Introduced by Wood, Gleed, Felt, Picard: A bill for an act entitled: "An act to amend chapter 2 of the laws of the Thirty-fifth Legislative Assembly of the State of Montana, 1957, relating to the issuance of lettered license plates authorizing and directing the registrar of motor vehicles of the State of Montana to issue, upon proper application and proof, special license plates in addition to the regular license plates required by the provisions of chapter 1, title 53, "motor vehicles," Revised Codes of Montana, 1947, as amended and supplemented, for resident motor vehicle owners who operate amateur radio stations under license of the Federal Communications Commission; empowering and directing the registrar of motor vehicles to prescribe rules and regulations to effect the purposes of this act; authorizing lists of such special license plate holders and distribution of such lists to law enforcement officers, and specifying the duties of the registrar in connection with such lists; providing for surrender and return of special license plates upon revocation or expiration of any amateur radio license, and repealing all acts and parts of acts in conflict herewith."	54, 63, 66, 107, S-107, 112, 151, 219, 221, 224, 554, 568, 569, 578, 665.
Sub. 60	Introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend section 53-106.2 of the Revised Codes of Montana, 1947, as enacted by the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to special motor vehicle license plates for amateur radio operators, to provide for written application, proof of licensing, and issuance of licenses in pairs; to amend section 53-106.3 of the Revised Codes of Montana, 1947, as enacted by the Legislative Assembly aforesaid, relating to issuance of said license, application and additional fee, to provide for issuance in pairs and increased fee; to amend section 53-106.4 of the Revised Codes of Montana, 1947, as enacted by the Legislative Assembly aforesaid, relating to rules and regulations and limit of number of plates, to provide for issuance of plates in pairs; to amend section 53-106.6 of the Revised Codes of Montana, 1947, as enacted by the aforesaid Legislative Assembly, relating to affixing said plates to cars, sale or transfer of auto and expiration or revocation, to provide that said plates shall replace the regular motor vehicle license plate on the vehicle and regulations in the event of transfer of auto or expiration of	

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	amateur license; providing a repealing clause and an effective date."	107, 112, 151, 219, 221, 224, 554, 568, 569, 578, 665.
61	Introduced by Sales, Paulsen: A bill for an act entitled: "An act to amend section 11-3215, Revised Codes of Montana, 1947, relating to nomination of candidates at primary elections held under the commission-manager form of municipal government, by providing for the dispensing of a primary election for the nomination of candidates for the office of commissioner in such municipalities when the number of candidates legally qualified for the office of commissioner at such primary election does not exceed twice the number of vacancies in the commission to be filled; repealing all acts and parts of acts in conflict herewith.".....	54, 78.
62	Introduced by Healy, Powers, Loughran, Picard, Mernin, Wayrynen, McNally, Glancy, Sheehy, Holding Shea: A bill for an act entitled: "An act to enable counties to acquire, operate, lease or contract for the operation of motor buses and bus lines for the transportation of passengers, providing for borrowing money or issuing bonds for the purchase of the same and providing for a vote of taxpayers thereon and enabling counties to also contract with independent carriers for such transportation services and enabling counties to also enter into a lease or a lease and operating agreement with independent carriers for such transportation services and authorizing the Board of County Commissioners of any county to levy a tax on all taxable property within the limits of such counties to defray the costs thereof; and limiting the expenditure of all funds derived from such tax; providing a saving clause; and repealing all acts and parts of acts in conflict therewith."	58, 437.
63	Introduced by Military Affairs Committee: A bill for an act entitled: "An act to amend section 3, chapter 44, laws of 1957, relating to the payment of the Korean war veterans' honorarium or adjusted compensation to the widows, or orphans, or parents, as the case may be, whose husbands, or fathers, or sons have died prior to the payment of the honorarium or adjusted compensation provided by chapter 44, laws of 1957, providing that such payment shall be in the amount specified in section 2, chapter 44, laws of 1957, providing that nothing in this act shall be deemed to amend, or in any way alter the provisions of sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, or 13 of chapter 44, laws of 1957, repealing all acts and parts of acts in conflict herewith, and providing an effective date hereof."	58, 77, 94, 98, 267, 269, 274, 278.
64	Introduced by McGarvey, Parker: A bill for an act	

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	entitled: "An act to amend section 48-133 of the Revised Codes of Montana, 1947, by taking out the reference to declaration of marriage."	58, 61, 65, 67, 69, 76, 281.
65	Introduced by Felt, Anderson, Battin, Hanks, Cavan, Fjare, Howard, Haines (Missoula), Paulsen, Babcock, Elting, Morrison, Kiff, Powell: A bill for an act entitled: "An act to amend section 84-1501, Revised Codes of Montana, 1947, relating to corporation license tax; providing for a separation of that section into two sections, eliminating the exemption of certain cooperative organizations from such tax and repealing all acts and parts of acts in conflict herewith."	58, 309.
66	Introduced by McGarvey, Holding, Schwinden, Page (Missoula), Haines (Missoula), Sheldon (Flathead), Page (Granite): A bill for an act entitled: "An act to provide that it shall be unlawful for any owner or owners of any motor vehicle to knowingly permit a juvenile to drive said motor vehicle, after said juvenile has had his drivers' license either revoked or suspended; to provide for a penalty; to provide for a repealing provision."	59, 410.
67	Introduced by Kvaalen, Shelden (Lincoln), Lees: A bill for an act entitled: "An act to amend section 26-104 of the Revised Codes of the State of Montana, 1947, relating to powers and duties of the State Fish and Game Commission, to provide for the hunting of big game by bow and arrow hunters; to amend section 26-202.1 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 100 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to fish and game licenses, fees, classification of licenses, fees and powers under licenses, to provide for the issuance of licenses to bow and arrow hunters to hunt and possess big game; and to repeal all acts and parts of acts in conflict herewith."	61, 90, 106, 114, 120, 125, 169, 218, 221, 554, 568, 569, 578, 619.
68	Introduced by Walton, Reeder: A bill for an act entitled: "An act to amend section 26-907, Revised Codes of Montana, 1947, relating to taxidermists' license, fee, and penalty for violation of the act."	62, 90, 106, 120, 125, 267, 269, 274, 278.
69	Introduced by McNally, Powers: A bill for an act entitled: "An act to amend section 11-731, of the Revised Codes of Montana, 1947, as amended by section 5, chapter 76, Session Laws of 1953, relating to the salary of the city or town clerk; re-	

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	pealing all acts or parts of acts in conflict herewith; and, providing for an effective date of act."	62, 68, 81, 94, 101, 120, 150, 151, 166, 292.
70	Introduced by Anderson, Battin, Angstman, McGarvey, Morrison, Daniels, Gerard, Bradford: A bill for an act entitled: "An act to provide for the disqualification of district judges in criminal actions or proceedings; prescribing the grounds and procedure for disqualification; providing for assumption of jurisdiction by other district judges in event of disqualification; providing for an effective date and repealing all other acts and parts of acts in conflict herewith."	62, 77, 85, 336, 351, 358, 359, 368, 590, 593, SA-595, 638, 643, 666.
71	Introduced by McGarvey, Sheehy, Tonner, Bradford, Curry, Anderson, Lees, Daniels: A bill for an act entitled: "An act to amend sections 10-611 and 10-633, Revised Codes of Montana, 1947, relating to hearings had in juvenile courts; providing for the admission of the general public and publicity in certain cases; repealing all acts or parts of acts in conflict herewith, and providing for an effective date of this act."	62, 431, 474, 497, 503, 508, 644.
72	Introduced by Abel, Langston, Barrett, Daniels: A bill for an act entitled: "An act to compel anyone who reproduces or circulates any Senate or House Bill introduced or considered by the Senate or House to properly identify himself by using a credit line on said reproduction, to provide that said reproduced bill shall be printed totally in a color of ink other than black or blue, to provide that the type of the title shall not compare in type, face or size to the type of the title of the original bill, to provide that the credit line shall contain the full name and identity of the person, persons, corporations, partnership or other legal entity reproducing or circulating said copy, to provide that the credit line shall appear on the first page of the reproduction and that the credit line shall be the same size and type as the title, providing for a penalty and a repealing clause."	62, 278, S-279, 281, 298, 325, 326, 334, 708, 733, 742.
	Sub. 72—See Index Page 249.	
73	Introduced by Morrison, Elting, Leuthold, Barrett: A bill for an act entitled: "An act to amend section 10-605, Revised Codes of Montana, 1947, relating to the information—investigation—petition of the juvenile courts, to provide for a change in the title of the court petition; and containing a repealing clause."	63, 90, 106, 120, 126, 267.

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74	Introduced by Morrison, Elting, Leuthold, Barrett: A bill for an act entitled: "An act to amend section 10-622 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 27 of the Montana Session Laws of 1951, as amended by section 1, chapter 112 of the Montana Session Laws of 1953, as amended by section 1, chapter 36 of the Montana Session Laws of 1955; as amended by section 1 of chapter 177 of the Montana Session Laws of 1957, relating to probation officers, their appointments, removal and salary to provide for qualified persons and containing a repealing clause."	63, 90.
75	Introduced by Morrison, Elting, Leuthold, Barrett: A bill for an act entitled: "An act to amend section 10-617, Revised Codes of Montana, 1947, relating to the penalty for improper and negligent training of children, to provide clarification; and containing a repealing clause."	63, 90, 106, 114, 116, 118, 338, SA- 351, 361, 378, 397.
76	Introduced by Elting, Morrison, Leuthold, Barrett: A bill for an act entitled: "An act to re-establish the Child Welfare Advisory Committee of the State of Montana as provided in chapter 158 of the laws of the Thirty-fifth Legislative Assembly of the State of Montana, 1957, providing for the appointment of such committee by the Governor of the State of Montana; providing for the duties of such committee, its composition and period of existence; and providing an effective date."	64, 91, 106, 114, 116, 119, 267, 822, 829.
77	Introduced by Kvaalen, Anderson, Morrison, Barrett, Haines (Missoula): A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to section 7 of article XI of the Constitution of the State of Montana, providing that the date or dates upon which a child in his sixth year may commence his schooling may be determined by law."	64, 316, 352, 358, 394, 405, 576.
78	Introduced by Strnisha, Babcock, Morrison, Gleed: A bill for an act entitled: "An act to promote and protect the public health through the regulation of the business of plumbing; creating a state plumbing board and empowering said board and State Board of Health to adopt a state plumbing code covering the practice of plumbing and establishing minimum standards for plumbing work; providing concurrent authority for cities and towns; fixing penalties; providing for an effec-	

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	tive date of said plumbing code, and providing for a repealing clause."	64, 155, 216, S-285, 289, 338, 358, 359, 371, 708, 758, 759, 783.
	Sub. 78—See Index Page 249.	
79	Introduced by Tonner, Wood: A bill for an act entitled: "An act to provide for the submission to the the qualified voters of the State of Montana of an amendment to section 2 of article IX of the Constitution of the State of Montana, relating to residence and other requirements of eligible voters and electors, to provide that citizens of the United States may vote for presidential and vice presidential electors upon sixty days' residence in Montana prior to presidential election."	64, 279.
80	Introduced by Leuthold: A bill for an act entitled: "A bill for an act amending sections 23-1301, 23-1302, 23-1303, 23-1306, 23-1307, 23-1312 and 23-1320 of the Revised Codes of Montana, 1947, as amended, relating to voting by absent electors, to provide that absentee voters may make application for absentee ballot, if for any reason, he expects to be absent from his voting precinct poll; to provide that the application must be sworn to by some officer authorized to administer oaths pursuant to the laws of the place of execution; to change the form of the application for absentee ballot, to provide that the applicant must swear that he expects to be absent from his voting precinct poll; to prescribe duty of electors if present at voting precinct poll on election day."	64, 78, 107, 154, 179, 180, 462, S-462, 471, 509, 520, 521, 525, 710, 740, SA-768, 815, 818, 827.
Sub. 80	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend sections 23-1302, 23-1303, and 23-1307 of the Revised Codes of Montana, 1947, as amended, relating to voting by absent electors, to provide that an absentee voter may make application for absentee ballot, if for any reason, he expects to be absent from his county; to provide that the application and the affidavit with the ballot must be sworn to by some officer authorized to administer oaths pursuant to the laws of the place of execution; to provide that a person may cast an absentee ballot in any foreign country; and containing a repealing clause."	462, 471, 509, 520, 521, 525, 710, 740, SA-768, 815, 818, 827.
81	Introduced by Page (Missoula), Emmons, Haines (Missoula), Lees, Holding, Karlberg, Picard, Mc-	

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	Nally: A bill for an act entitled: "An act to create and establish the position of governor's financial advisor; to provide for the appointment; fix the compensation, term of office; define his duties; provide for his working between other state offices; to provide for his right to subpoena in certain instances; providing a repealing clause and providing an effective date.".....	64, 463.
82	Introduced by MacDonald: A bill for an act entitled: "An act to amend section 16-1030 of the Revised Codes of Montana of 1947 relating to the lease of county property; and containing a repealing clause."	64, 95, 106, 120, 126, 169, 218, 221, 267, 269, 274, 278.
83	Introduced by Barnard: A bill for an act entitled: "An act to regulate and control lobbying in the State Legislature and during sessions thereof; providing for licensing and registration of lobbyists; providing for reports and account by lobbyists; providing penalties and enforcement; providing an effective date; repealing all acts and parts of acts in conflict herewith."	65, 410, 474, 501, 526.
84	Introduced by Emmons, Wayrynen, McGarvey, Holding, Daniels, Tonner: A bill for an act entitled: "An act providing for the creation of an air pollution control council; providing definitions; providing for the appointment of council members; providing powers and duties of the council; providing the State Board of Health to administer this act under the supervision of the council; prohibiting the discharge of air contaminants and describing such contaminants; providing for hearings, issuance of permits and authorizing variances from the standards of this act; providing for the suspension or revocation of permits and the revocation or modification of any variance; providing for the issuance of rules, regulations and orders of the council; providing subpoena power and contempt of the council; authorizing the entry into premises to enforce this act or the rules, regulations or orders of the council; providing for appeals to the District Court and Supreme Court; prescribing penalties for the violation of this act or any rule, regulation or order of the council; providing for injunctive proceedings; and containing a severability clause."	66, 292.
85	Introduced by Sheehy, Haines (Missoula), Holding, Strnisha, Sales: A bill for an act entitled: "An act to amend section 41-801 (f), Revised Codes of Montana, 1947, defining vocational rehabilitation and vocational rehabilitation services by inserting therein the words 'in so far as possible'; and to amend section 41-805 and section 41-806, Revised	

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	Codes of Montana, 1947, by deleting therefrom the word 'vocational'; containing a repealing clause and effective date."	68, 155, 185, 219, 232, 242, 252, 256, 753, 794, 795, 810.
86	Introduced by Wood, Tonner, Barnard: A bill for an act entitled: "An act to amend section 94-7815 of the Revised Codes of Montana, 1947, relating to duration of imprisonment on judgment to pay a fine to provide the extent of imprisonment must not exceed one day for every eight (8) dollars of the fine and costs."	68, 91.
87	Introduced by Holtz, Sheldon (Flathead), Gunderson: A bill for an act entitled: "An act to amend sections 16-1706, 16-1708 and 16-1713 of the Revised Codes of Montana, 1947, relating to noxious weed control, to provide for encompassing state institutional and custodial lands within the purview of the weed control law; to provide that the Commissioner of Agriculture shall by proclamation, declare an embargo against the importation, shipment or transportation of grain, plants, hay, straw, screenings, seed, tubers, nurse stock, fruit and including all lawn, flower, garden and vegetable seeds and peat moss into the State of Montana when the Commissioner of Agriculture has good reason to believe they contain noxious weed seed; to provide that the Commissioner of Agriculture can levy an inspection fee not to exceed three dollars (\$3.00) on all machinery and equipment capable of transporting weed seeds into the State of Montana and that such monies shall be placed in a separate fund which is to be used by the Commissioner of Agriculture to defray a portion of the expenses hereunder; to provide that the Commissioner of Agriculture shall be responsible for erecting and maintaining appropriate signs along all highways at the state line bearing the substance of this law; to provide that the board of weed control and weed extermination supervisors shall receive per diem at the prevailing rate for employees within the county; repealing all acts or parts of acts in conflict herewith.".....	68, 151, 185, 219, 232, 233, 376, 386, 387, 662, 722, 733.
88	Introduced by Holtz, Eskildsen, Gunderson, Sheldon (Flathead), Barnes, Holecek: A bill for an act entitled: "An act to provide for the seeding of perennial grass covers on newly disturbed right-of-way areas, including state and federal highways, county roadways, irrigation ditches, drain ditches, borrow pits, slopes, road shoulders or other types of construction; and providing a repealing clause."	69, 152, 168, 220, 232, 233, 571.
89	Introduced by Lees, Strnisha, Regan, Anderson, Gleed: A bill for an act entitled: "An act relating	

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	to and regulating the retail installment selling and financing of goods, including motor vehicles and services; to define terms used herein; to require the licensing of sales finance companies; to vest the administration and enforcement of this act in the office of the State Superintendent of Banks; to prescribe the powers, duties, authority and jurisdiction of such superintendent of banks with respect to this act; to authorize the adoption and promulgation of rules and regulations; to prescribe and regulate the form and content of contracts covering the retail installment sale of goods and services; to regulate the inclusion of insurance in a retail installment sale; to limit the amount of the finance charge that can be made for such retail installment sales; to regulate delinquency charges and the refinancing of such retail installment sales; to require a partial refund of such charges on prepayment; to make certain acts unlawful and providing penalties for violations of this act."	72, 383, 498, 520, 526, 662, 722, 733.
90	Introduced by Battin, Howard, Clowes, Haines (Missoula), Karlberg, Lees, Nelstead, Shea, Picard, Bradford, Healy: A bill for an act entitled: "An act providing for a section to be known as section 11-2710 and authorizing county commissioners to exercise building and zoning regulatory powers; containing a repealing clause."	73, 90, 102, 114, 120, 124, 127, 654, 711, 712, 733.
91	Introduced by Battin, Bradford, Howard, Haines (Missoula), Picard, Nelstead, Clowes, Karlberg, Lees, Shea, Healy: A bill for an act entitled: "An act to amend section 11-3804, Revised Codes of Montana, 1947, relating to the membership of city planning boards by requiring the citizen members appointed by the mayor to be resident freeholders; and to amend section 11-3812, Revised Codes of Montana, 1947, relating to the qualifications of city-county board members by providing the members shall be resident freeholders; and to amend section 11-3830, Revised Codes of Montana, 1947, relating to the adoption of a master plan for a city and unincorporated areas by providing for approval by the county commissioners and settling of boundary areas between planning boards; and to amend section 11-3842, Revised Codes of Montana, 1947, relating to the filing of subdivision plats by requiring the plat comply with the master plan and approval be endorsed on the plat before filing; and to amend section 11-3852, Revised Codes of Montana, 1947, relating to city powers regarding building and zoning regulations by authorizing boards of county commissioners to exercise such powers; and to amend section 11-3853, Revised Codes of Montana, 1947, relating to the recovery and use of resources by including	

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	agricultural resources; and to amend section 11-3854, Revised Codes of Montana, 1947, relating to the planning board exercising powers conferred on cities by sections 11-2701 through 11-2710 by authorizing the planning board to exercise the same powers conferred on boards of county commissioners; repealing sections 11-3809, 11-3841, 11-3849 and 11-3850, Revised Codes of Montana, 1947, and all acts in conflict herewith."	73, 90, 106, 135, 136, 143, 653, 723, 725, 783, 800, 822, 823, 827.
92	Introduced by Elting, Holtz, Morrison, Wold, Emmons, Regan, Higham, Reinecke, Glead: A bill for an act entitled: "An act to amend section 80-209, Revised Codes of Montana, 1947, relating to medical assistants and examining physicians; providing for the admission of patients to the Montana Tuberculosis Sanitarium by providing that any person may be admitted who is suffering from tuberculosis or miner's consumption; providing transportation, care and maintenance at the expense of the state; providing for a determination of financial responsibility after the patient is admitted to the sanitarium; repealing sections 80-210 to 80-213, inclusive, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith; and providing for an effective date of this act."	73, 217, S-217, 219, 229, 251, 252, 257, 708, 733, 742.
	Sub. 92—See Index Page 249.	
93	Introduced by Elting, Holtz, Morrison, Wold, Emmons, Regan, Higham, Reinecke, Glead: A bill for an act entitled: "An act to protect the citizens of Montana from persons having tuberculosis in a communicable state; defining the terms 'facility' and 'tuberculosis'; providing for promulgation of rules and regulations by the State Board of Health; allowing any board of health to apply to state District Court for order of commitment to a facility; specifying the procedure therefor; providing for commitment of persons found to have tuberculosis in a communicable state; permitting patient to apply to District Court for release from facility; providing for release when confinement of such person is no longer required; establishing fees and providing for payment of expenses by the county; requiring State Board of Examiners and counties to provide and maintain facilities; and providing for an effective date."	73, 102, 135, 218, 220, 232, 236, 239, 753, 794, 795, 810.
94	Introduced by Haines (Missoula), Howard, Morrison: A bill for an act entitled: "An act to amend section 75-5003, Revised Codes of Montana, 1947, as amended by Chapter 206, Laws of 1955, relat-	

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	ing to the establishment of special education programs by local boards of trustees, the providing of transportation services for physically handicapped children, the determination of children requiring special education, the responsibility of the State Superintendent of Public Instruction, and reimbursement by the state for special programs; to provide for transportation services from home to school and return for all handicapped children enrolled in a state-approved special education program; to reimburse state-approved special education classes for educable mentally handicapped children on the basis of counting each pupil as three in average number belonging; repealing all acts and parts of acts in conflict herewith.".....	78, 138, 167, 168, 177, 620, 622, SA-625, 673, 674, 675, 731.
95	Introduced by Mernin: A bill for an act entitled: "An act to legalize, license and regulate certain kinds of gambling games, and slot machines; providing a license fee for the operation of such games and slot machines and fixing the amount and disposal of such fees; defining the powers and duties of the State Board of Equalization of the State of Montana, and the treasurer and sheriff of the counties of the State of Montana in the administration and enforcement of this act and in the suspension or revocation of such licenses; providing for hearing before suspension or revocation; prohibiting persons under the age of twenty-one years from playing at, loitering about such games or slot machines or frequenting premises where the same are conducted or operated; authorizing counties and cities to levy and collect a license tax in addition to the state license tax herein provided for; providing penalties for the violation of the provisions of this act; providing for local option by counties in relation to the adoption of this act; repealing section 11159, Revised Codes of Montana, 1935, as amended by chapter 153, laws of 1937, repealing all acts and parts of acts in conflict herewith.".....	79.
96	Introduced by Paulsen, Anderson: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies to authorize and issue such bonds, instruments and other obligations, however described and providing that this act may be cited as 'the 1959 bond validating act'.".....	79, 91, 106, 135, 136, 144, 267, 274, 275, 301.
97	Introduced by Lees, Wayrynen, Healy, Babcock,	

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	Morrison: A bill for an act entitled: "An act to amend sections 4-102 and 4-170 of the Revised Codes of Montana, 1947, relating to definitions and unlawful to canvass for orders for sale or purchase of liquor—advertising liquor or beer, when prohibited—exceptions, by providing that neither the provisions of subdivision (s) of section 4-102 nor the provisions of subdivision (l) of section 4-170 be construed to prevent activities designed to promote the sale by retail liquor licensees of particular brands or varieties of liquor, spirits or wines; and repealing all acts and parts of acts in conflict herewith."	79, 168, 220, 232, 236, 240, 537.
98	Introduced by Sheldon (Flathead), Harball, Tonner, Holding (by request): A bill for an act entitled: "An act relating to certain duties of county officers in counties where they have county auditors; to amend section 16-3208 to include this additional duty; to amend section 16-2917 of the Revised Codes of Montana, 1947; repealing all acts and parts in conflict herewith; and providing an effective date."	79, 137.
99	Introduced by Shelden (Lincoln), Tonner, Clowes, Battin, Haines (Missoula), McGaffick: A bill for an act entitled: "An act to amend section 59-538 of replacement volume 4 of the Revised Codes of Montana, 1947, as amended, relating to expenses of persons in state service and providing for an effective date."	79, 220, 229, 279, 307, 317, 341, 355, 357, 507.
100	Introduced by Clowes, Tonner, Shelden (Lincoln), Battin, Haines (Missoula), McGaffick: A bill for an act entitled: "An act to amend section 43-310, Revised Codes of Montana, 1947, as amended by chapter 45, Laws of Montana, 1909, and chapter 23, Laws of Montana, 1955; relating to mileage expenses to be paid to members of the Legislative Assembly; and providing for the repeal of all acts or parts of acts in conflict herewith."	79, 221, 229, 279, 307, 325, 326, 329, 444.
101	Introduced by Clowes, Shelden (Lincoln), Tonner, Battin, Haines (Missoula), McGaffick: A bill for an act entitled: "An act to amend sections 59-801 and 59-802 of the Revised Codes of Montana, 1947, as amended by chapter 93 of the Laws of Montana, 1949; and as amended by chapter 124 of the Laws of Montana, 1951; by providing the mileage to be allowed to members of the Legislative Assembly, state officers, township officers, jurors, witnesses, county agents, and all other persons, except sheriffs, who may be entitled to mileage."	79, 279, 298, 325, 326, 330, 507.

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102	Introduced by Fladager, Emmons, Healy, Battin, Anderson, Gilfeather: A bill for an act entitled: "An act to amend chapter 75 of the Session Laws of the Thirty-fourth Legislative Assembly of the State of Montana, 1955, relating to salary and expenses of stenographer; providing for furnishing transcripts and bills of exceptions to county without cost; providing manner in which salary shall be paid and fixing basis for apportionment of salary between or among counties comprising the judicial district for which said stenographer has been appointed; and repealing all acts and parts of acts in conflict herewith.".....	81, 226, 252, 268, 269, 271, 316, 338, 339, 444.
103	Introduced by Battin, Clowes, Picard, Healy, Sheehy, Sales: A bill for an act entitled: "An act to amend section 32-2131, Revised Codes of Montana, 1947; relating to the jurisdiction of municipalities over violations occurring within the limits of municipalities; allowing the municipalities to adopt as ordinances all acts not in conflict with state law; repealing all acts in conflict herewith and providing that this act be effective from and after its passage and approval.".....	82, 102, 138, 167, 168, 178, 661, 740, SA-763, 809, 810, 835.
104	Introduced by Battin, Clowes, Healy, Sales, Sheehy: A bill for an act entitled: "An act to amend section 11-1603, Revised Codes of Montana, 1947, relating to jurisdiction of police courts for violation of ordinances and civil and criminal jurisdiction; and allowing peace officers directed by the court to serve warrants of arrest, make arrests, serve subpoenas and compel witnesses to answer subpoenas anywhere in the county where the court is located; repealing all acts in conflict herewith and providing that this act be effective from and after its passage and approval.".....	82, 137, 154.
105	Introduced by Fladager, Woodring: A bill for an act entitled: "An act providing that the County Commissioners may cause the records of the county to be microfilmed; providing that they may enter into one or more contracts for the same; providing that they may levy and pay for the same; providing that they may place said microfilm in a place of safety other than the courthouse containing the records microfilmed and expend the necessary amount for such safe storage; and providing for an effective date.".....	82, 115.
106	Introduced by Barrett, Gunderson: A bill for an act entitled: "An act to amend section 35-414 of the Revised Codes of Montana, 1947, relating to the termination of operation of housing facilities ac-	

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	quired pursuant to the emergency war and veterans housing facilities act of the State of Montana; to provide for extending the date of termination of operation from May 1, 1959 to May 1, 1961."	82, 99, 119, 150, 151, 166, 267, SA-272, 281, 284, 301.
107	Introduced by Broeder: A bill for an act entitled: "An act to amend section 32-1201, Revised Codes of Montana, 1947, relating to definitions, by defining supervisor and board, and to amend section 32-1202, Revised Codes of Montana, 1947, as amended by section 1, chapter 212, Laws of Montana, 1947, relating to accidents involving death or personal injury, by substituting the word 'board' for the word 'registrar', by authorizing the board to revoke license or permit to drive or any nonresident operating privilege for violation of this section; and to amend section 32-1206, Revised Codes of Montana, 1947, relating to duty of drivers upon striking fixtures upon the highway, by requiring drivers of vehicles involved in accidents to report damage to property owners; and to amend section 32-1207, Revised Codes of Montana, 1947, relating to immediate reporting of accidents by requiring drivers of vehicles involved to give immediate notice of accidents by quickest means of communication; and to amend section 32-1208, Revised Codes of Montana, 1947, relating to written reports of accidents by adding the word 'bodily' before the word 'injury' of subsection (a) of this section by increasing property damage from twenty-five dollars (\$25.00) to one hundred dollars (\$100.00) when written reports of accidents are required by substituting the word 'board' for the word 'supervisor'; by adding a section numbered 32-1208.1 relating to the form of accident reports by providing that the report will contain sufficient information to determine compliances with safety responsibility statutes; and to add a section numbered 32-1208.2 relating to additional accident information by providing that the board may require drivers of vehicles involved in accidents to submit additional information and provided that law enforcement officers who investigate accidents must submit a written report of such to the board within five (5) days; and to amend section 32-1209, Revised Codes of Montana, 1947, relating to when driver is unable to give immediate notice or submit written report by exempting drivers who are physically incapable of giving immediate notice or submitting such report, during such period of incapacity, and providing that an occupant shall give immediate notice and make or cause to be made the written report not made by the driver, and providing that when the incapacitated driver is not the owner of the vehicle, the owner of the vehicle shall make such	

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	written report not made by the driver of the vehicle; by adding a section numbered 32-1209.1 relating to false reports, by prohibiting any person making reports from giving false information and providing penalty for violation of such section; and by amending section 32-1210, Revised Codes of Montana, 1947, relating to accident report forms, by substituting the word 'board' for the word 'supervisor'; and to add section 32-1210.1, relating to penalties for violations of act, by providing that the board may suspend the license or other driving privilege of persons failing to report accidents and providing for fines for persons who fail to submit written reports of accidents; and to amend section 32-1211, Revised Codes of Montana, 1947, relating to coroners' responsibility to report traffic accidents, by requiring coroners to report traffic accidents to board each month; and to amend section 32-1213, Revised Codes of Montana, 1947, relating to confidential use of accident reports by substituting the word 'board' for the word 'supervisor', by providing that financial responsibility reports submitted by the persons who are the drivers or the owners of motor vehicles are confidential; by repealing all acts or parts of acts in conflict herewith and by providing for effective date of act.".....	86, 252, 298, 325, 326, 330, 654, SS- 711, 713, 737, 742, 785, 823, 827.
108	Introduced by Broeder: A bill for an act entitled: "An act to amend section 53-421 of the Revised Codes of Montana, 1947, relating to report required following accident; by substituting five (5) days for ten (10) days with reference to when written reports must be submitted to supervisor; by repealing all acts and parts of acts in conflict herewith; by providing that this act shall be in full force and effect from and after its passage and approval.".....	86, 252, 273, 289, 290, 294, 654.
109	Introduced by Broeder: A bill for an act entitled: "An act to amend section 31-149, Revised Codes of Montana, 1947, as amended by section 1, chapter 126, Laws of Montana, 1957, relating to period of suspension or revocation; by striking that portion of this section which makes an exception to suspension under section 32-1202, Revised Codes of Montana, 1947; by repealing all acts or parts of acts in conflict herewith and by providing for effective date of act.".....	87, 253, 275, 289, 290, 296, 301, 313, 326, 334, 654.
110	Introduced by McGarvey and Broeder (by request): A bill for an act entitled: "An act authorizing and empowering the State Board of Land Commis-	

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	<p>sioners of the State of Montana to sell and convey a tract of land in the southwest quarter of the northeast quarter of the southwest quarter (SW$\frac{1}{4}$ NE$\frac{1}{4}$SW$\frac{1}{4}$) and in the northwest quarter of the northeast quarter of the southwest quarter (NW$\frac{1}{4}$ NE$\frac{1}{4}$SW$\frac{1}{4}$) section 16, township 28 north, range 21 west; comprising twelve and one half (12$\frac{1}{2}$) acres, Flathead County, to the best interests of the State of Montana; providing for platting the acreage into lots and blocks if deemed necessary to the best interests of state; providing for appraisal of said land; providing for notice of sale pursuant to section 81-909 of the Revised Codes of Montana, 1947; providing costs of sale and all expense incidental thereto shall be paid out of the proceeds of the sale and providing the net proceeds of the sale shall go to the common school fund; providing for the effective date of the act and repealing all acts and parts of acts in conflict herewith."</p>	<p>87, 135, 151, 186, 221, 222, 338, 339, 361, 378, 397.</p>
111	<p>Introduced by Jensen: A bill for an act entitled: "An act to amend section 26-201, Revised Codes of Montana, 1947, as amended by chapter 37, laws of 1949, and by chapter 36, laws of 1951, and by chapter 121, laws of 1951, and by chapter 19, laws of 1953, relating to definitions and providing that chukar partridges be defined as upland game birds; that morning doves be defined as migratory game birds; that Canada lynx and black-footed ferret be added to fur bearing animals; removing fox from fur bearing list; and containing a repealing clause."</p>	<p>87, 105, 115, 116, 154, 186, 221, 222, 554, 568, 569, 578, 619.</p>
112	<p>Introduced by the Committee on Education: A bill for an act entitled: "An act to amend sections 75-2301, Revised Codes of Montana, 1947, relating to fire drills in all schools and repealing all acts and parts of acts in conflict herewith."</p>	<p>93, 114, 138, 167, 168, 178, 355, 361, 378, 397, 742.</p>
113	<p>Introduced by Broeder, Sheldon (Flathead), Tonner, Haines (Missoula), Howard, Loman, Kiff, Harball, McGarvey, Nichols, Strnisha: A bill for an act entitled: "An act to amend section 32-1123 of the Revised Codes of Montana of 1947, as amended by chapter 250 of the laws of 1955, relating to maximum dimensions, weights, and speeds of motor vehicles, by changing the maximum speeds of trucks and by revising the maximum gross weight standards for vehicles or combinations of vehicles having a distance of from thirty-nine (39) to fifty-one (51) feet, inclusive, and repealing all acts and parts of acts in conflict herewith."</p>	<p>93, 264, 290, 312, 320, 321, 662, 711, 712, 733.</p>

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114	Introduced by Fish and Game Committee: A bill for an act entitled: "An act providing that the State Fish and Game Commission may issue wild turkey tags to holders of valid class A, class B-1, class B-2 licenses; providing for a \$2.00 fee; providing for the tagging of said turkeys; providing for penalties; and repealing all acts and parts of acts in conflict herewith."	93, 146, 186, 221, 222, 554, 568, 569, 578, 619.
115	Introduced by Wayrynen, Jensen: A bill for an act entitled: "An act to amend section 26-222 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 156 of the Montana Session Laws of 1949, relating to compensation and duties of licensed agents of the Fish and Game Commission for the sale of licenses; to provide that said agents shall receive twenty-five cents for each license issued by him; containing a repealing clause and providing an effective date."	93, 180, 220, 232, 236, 241, 554, 555, SA-556, 568, 569, 578, 620.
116	Introduced by Parker, Barrett (by request): A bill for an act entitled: "An act to amend section 75-2401, Revised Codes of Montana, 1947, as amended by chapter 26, laws of 1957, relating to the reelection of teachers and providing that any teacher may be retired who has attained the age of sixty-five years and that a board of trustees may continue to employ a teacher until the age of seventy (70) years and repealing all acts and parts of acts in conflict herewith."	93, 155, 220, 229, 326.
117	Introduced by Barrett, Parker (by request): A bill for an act entitled: "An act creating a commission to make a comprehensive and constructive study of the tax structure and educational system of the State of Montana, creating the commission on taxation and education and prescribing the powers and duties of the commission; providing for selection of an executive secretary and other personnel; appropriating funds for the expense thereof and providing for an effective date."	93, 456.
118	Introduced by Paulsen: A bill for an act entitled: "An act to provide for the issue and sale by the State Board of Examiners of bonds for the purpose of erecting an Unemployment Compensation Commission building as an adjunct to the State Capital building; designating the funds from which said bonds shall be paid; providing for an Unemployment Compensation Commission building interest and sinking fund; enumerating the powers and duties of the State Board of Examiners in carrying out the provisions of this act; authorizing the	

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	State Board of Land Commissioners to purchase said bonds with moneys from the long term investment fund; providing a savings clause; and providing an effective date.".....	93, 279, 298, 325, 326, 330, 709, 740, SA-766, 815, 818, 827.
119	Introduced by Paulsen: A bill for an act entitled: "An act to appropriate money from this state's account in the unemployment trust fund on deposit with the Secretary of the Treasury of the United States of America, limited to the amounts paid into said fund pursuant to section 903 of the social security act, as amended, for the construction of an Unemployment Compensation commission building upon the present Capitol building grounds, and for the liquidation of bonds hereafter sold to obtain funds for such construction, and, further, limiting the period of time prior to the obligation of such funds to a period not to exceed two years from the date of the passage and approval of this act; providing a name for said building; and providing an effective date.".....	94, 280, 297, 301, 325, 326, 331, 708, 728, 733.
120	Introduced by Paulsen: A bill for an act entitled: "An act to amend section 79-1202, Revised Codes of Montana, 1947, as amended by chapter 118, Laws of Montana, 1957, relating to the investment of moneys in the long term investment fund; repealing all acts and parts of acts in conflict herewith, and providing an effective date.".....	94, 280, 298, 325, 326, 331, 708, 733, 742.
121	Introduced by McOmber, Broeder, Lees, McGaffick, Wayrynen, Gleed, Daniels: A bill for an act entitled: "An act relating to the discovery of dead bodies, duty to report said discovery to the coroner, duty to leave dead bodies and surroundings unmolested, penalties for violations, right of coroner to order autopsy and conduct scientific examination and manner of paying claims therefor, and repealing all acts and parts of acts in conflict herewith.".....	96, 307, 341, 358, 359, 369, 630, 828.
122	Introduced by McOmber, McGaffick, Broeder, Lees, Wayrynen, Gleed, Daniels: A bill for an act entitled: "An act to amend section 94-201-6, of the Revised Codes of Montana of 1947, relating to the testimony adduced before a coroner's jury, by requiring a transcript of the proceedings therein and providing for payment of claims therefor, and repealing all acts and parts of acts in conflict herewith.".....	96, 107, 138, 166, 186, 221, 222, 590, 617, 618, 623, 644.

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123	Introduced by Gunderson, Cavan, Sheehy, Anderson, Wayrynen: A bill for an act entitled: "An act to define and regulate the business of lending in amounts of one thousand dollars (\$1,000.00) or less; to authorize the licensing of persons engaged in such business; to permit such licensees to make charges at a greater rate than lenders not licensed hereunder; to prescribe maximum rates of charge which licensees are permitted to make; to provide for the administration and enforcement of this act and the issuance of regulations and orders therefor by the small loan board; to authorize the making of examinations and investigations and the publication of reports thereof; to provide that the small loan board shall use the facilities of the state banking department in administering and enforcing this act and that it may employ a deputy and other necessary employees; to provide for a review of administrative acts hereunder; to prescribe penalties; to repeal all acts and parts of acts in conflict herewith; and to provide when this act shall become effective."	97, 399, S-399, 404, 461, 497, 498, 502, 502, 710, 723, 724, SA-727, 794, 795, 810.
Sub. 123	Introduced by the Committee on Banking and Insurance: A bill for an act entitled: "An act relating to loans and interest and other charges and expenses on loans; to define 'consumer type loan business' and certain other terms; to regulate and license the business of making consumer type loans in the amount of one thousand dollars (\$1,000.00) or less; to create the office of consumer loan commissioner, and to provide for the appointment and compensation of a consumer loan commissioner and to prescribe the powers, duties, authority and jurisdiction of such commissioner; to authorize the adoption and promulgation of rules and regulations; to make certain acts unlawful and to provide penalties and forfeitures for violations of this act; to exempt certain businesses from the provisions of this act; to prescribe certain license and other fees; to create a 'consumer loan administration fund' to be used to administer and enforce the provisions of this act; to provide for the issuance, refusal, suspension and revocation of licenses; to provide for the refund of certain precomputed charges where a loan is paid prior to maturity; to authorize and regulate the issuance of certain insurance in connection with consumer type loans in the amount of one thousand dollars (\$1,000.00) and less; to authorize investigations and examinations by the commissioner and to provide for examination fees; to require licensees to keep certain records and to make certain reports; to regulate wage assignment; to provide for appeals from any action or	

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	order of the commissioner; and repealing all acts and parts of acts in conflict herewith."	399, 404, 461, 497, 498, 502, 710, 723, 724, SA-727, 794, 795, 810.
124	Introduced by Casey, Glancy, Cavan, Shea, Devier: A bill for an act entitled: "An act to amend section 16-1904, relating to hearings on the budget, adoption and fixing tax levies thereunder; deleting all reference to ten (10%) per centum of the amount actually expended for the year immediately preceding and the total amount appropriated therefor; repealing all acts and parts of acts in conflict herewith."	97, 180.
125	Introduced by Nelstead, Healy: A bill for an act entitled: "An act to amend sections 11-725, 11-728, and 11-729 of the Revised Codes of Montana, 1947, as amended, pertaining to salaries and qualifications of mayors, aldermen, city and town treasurers, and city attorneys; providing for the elimination of limits on salaries of mayors and city attorneys in cities of the first class and providing for the method of fixing such salaries; providing for increased limits for all other mayors, city attorneys, and for all city or town treasurers and aldermen; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	97, 326, S-326, 329, 381, 398, 419, 454, 461, 477, 631.
Sub. 125	Introduced by Committee on Affairs of Cities: A bill for an act entitled: "An act to amend sections 11-725, 11-726, 11-728, 11-729 and 11-731 of the Revised Codes of Montana, 1947, as amended, pertaining to salaries and qualifications of mayors and aldermen, and salaries of police judges, city and town treasurers, city attorneys and city or town clerks; providing for maximum salaries of mayors and aldermen in first class cities having populations of between 10,000 and 25,000 persons and cities having more than 25,000 persons as determined by the last federal census; providing for the maximum salaries of city attorneys in first class cities having populations of more than 25,000 persons and providing for the maximum salary limit of city attorneys in first class cities with populations of less than 25,000 persons; providing maximum salaries for mayors and aldermen in cities of the second and third class and towns, and of police judges, treasurers, city attorneys and city or town clerks in all cities of the first class, second class and third class cities and towns; repealing all acts and parts of acts in conflict herewith."	326, 329, 381, 398, 419, 454, 461, 477, 631.

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126	Introduced by Gilfeather, Cavan, Barnard: A bill for an act entitled: "An act to create a state bureau of criminal identification, and statistics under the department of the attorney general; providing the general powers and duties; providing for laboratory and clinical facilities; providing for transmission of records to the bureau; providing for appointment and discharge of personnel; providing for a records section at the state penitentiary; providing for money for the operation of the bureau; amending sections 25-226, 25-201, Revised Codes of Montana, 1947, as amended; repealing certain acts in conflict therewith and providing an effective date.".....	97, 360, S-360, 367, 498, 521, 526, 527, 666.
Sub. 126	Introduced by the Committee on State Boards and Institutions: A bill for an act entitled: "An act to create a state bureau of criminal identification, and statistics under the department of the attorney general; providing the general powers and duties; providing for laboratory and clinical facilities; providing for transmission of records to the bureau; providing for appointment and discharge of personnel; providing for a records section at the state penitentiary; providing for money for the operation of the bureau; amending sections 25-226, and 25-201, Revised Codes of Montana, 1947, as amended; providing for appropriation of fees collected; repealing certain acts in conflict therewith and providing an effective date."	360, 367, 498, 521, 526, 527, 666.
127	Introduced by Sheehy: A bill for an act entitled: "An act to amend section 66-1508 of the Revised Codes of Montana, 1947, relating to the licensing of pharmacies and stores other than a pharmacy; providing an increase in the annual fee from three dollars to five dollars; providing for authorized licensed stores other than pharmacies to sell, deliver or give away certain household medicinal drugs; providing penalties for violation of the act; providing for revocation of said licenses.".....	97, 218, 242, 258, 259, 263, 621, 647, 648, 664, 707.
128	Introduced by Bradford: A bill for an act entitled: "An act to amend section 23-502 of the Revised Codes of Montana, 1947, relating to registry books and registry cards, to provide for the inclusion of political party affiliation; providing for the declaration of political affiliation and voting at primary elections; providing for registering change of political affiliation; providing for the form of affidavit for change of political affiliation; providing for an elector to retain the same registration number as he had prior to this act; to amend section	

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	23-919 of the Revised Codes of Montana, 1947, relating to arrangement of ballots to conform to the intent of this act; to amend section 23-1402 of the Revised Codes of Montana, 1947, relating to war registration cards, to provide for the inclusion thereon of the political affiliation; containing a repealing clause and providing an effective date."	100, 151, 220, 233, 242, 250, 251.
129	Introduced by Emmons, Clowes, Wayrynen, Holding, Gleed, Elting, Kiff: A bill for an act entitled: "An act to amend section 72-150, Revised Codes of Montana, 1947, relating to safety regulatory power of the Montana Railroad Commission; providing authority to make health and safety rules and regulations relating to sanitation and shelter; repealing conflicting acts."	100, 270, 284, 301, 335, 336, 340, 614, 623, 643, 666.
130	Introduced by Hawks, Elting, Kiff, Powell, Gerard, Walton, Langston, Morrison, Woodring, DeWolfe, Higham: A bill for an act entitled: "An act to amend section 84-301 of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 178 of the laws of 1951, relating to classification of taxable property in Montana; providing for removal of livestock, poultry and the unprocessed products of both from class three classification and including same in class two classification; containing a repealing clause."	101, 455, 509, 526, 532, 645.
131	Introduced by MacDonald, Cerovski: A bill for an act entitled: "An act calling for the submission to the electors of the State of Montana of a proposal for the calling of a convention to revise, alter or amend the Constitution of the State of Montana; and providing for the method of voting at such election."	103, 437, S-437, 460, 509, 511, 515, 519.
Sub. 131	Introduced by MacDonald, Cerovski and Felt: A bill for an act entitled: "An act calling for the submission to the electors of State of Montana of a proposal for the calling of a convention to revise, alter or amend the Constitution of the State of Montana; and providing for the method of voting at such election."	437, 460, 509, 511, 515, 519.
132	Introduced by Elting, Higham, Raundal: A bill for an act entitled: "An act to define and regulate the business of lending in amounts of one thousand dollars (\$1,000) or less; authorizing the licensing of persons engaged in such business; prescribing maximum rates of charge which licensees are per-	

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	mitted to make; defining the purchase of wages as a loan for the purposes of this act; providing for the administration and enforcement of this act by the state examiner as ex-officio superintendent of banks and for employment of a deputy and other necessary employees; providing for the issuance of regulations and orders; authorizing and requiring examinations and investigations and reports; providing for a review of administrative acts by the District Court; providing for disposition of license and investigation fees; prescribing penalties for violations of this act; and providing for repeal of all acts or parts of acts inconsistent with the provisions of this act.".....	103, 285.
133	Introduced by Daniels: A bill for an act entitled: "An act to amend section 75-2006 relating to increased services of the State Correspondence School."	103, 326, 355, 383, 386, 387, 620, 622, SA-625, 647, 648, 664, 708.
134	Introduced by Wayrynen, Emmons, Abel, Harball, Sheldon (Flathead), Gleed, Kiff, Elting: A bill for an act entitled: "An act prohibiting the operation of railroad trains of various sizes and types with less than a minimum crew, as specified in this act; and providing for treble damages in the event of sickness, injury, loss, disability or accident resulting from the violation of any of the provisions of this act."	103, 270, 278, 301, 325, 326, 331, 571.
135	Introduced by Battin, Morrison: A bill for an act entitled: "An act to amend section 11-1814, Revised Codes of Montana, 1947, relating to qualifications of policemen; providing for a reduction in the residence requirement from two years to six months; providing that all acts and parts of acts in conflict herewith are hereby repealed; and providing for an effective date."	104, 151, 186, 221, 223, 418, 454, 461, SA-488, 499, 521, 548.
136	Introduced by Wood, Barnard, Felt, Howard: A bill for an act entitled: "An act to appropriate one hundred thousand dollars (\$100,000.00) for the operation and expenses of the legislative council for the period beginning July 1, 1959, and ending June 30, 1961, and to provide for an effective date of this act."	104, 337, 361, 383, 386, 392, 590, 617, 618, 623, 644.
137	Introduced by Felt: A bill for an act entitled: "A bill to provide for the submission to the electors of the State of Montana, for their vote, the ques-	

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	tion of whether or not there shall be called a constitutional convention pursuant to article XIX, section 8 of the Montana Constitution, for the purpose of revising, altering or amending the Constitution of the State of Montana; to provide for ratification by the electors of the State of Montana of the proposed new constitution.".....	104, 438.
138	Introduced by Babcock, Barrett, Broeder, Bradford, Bentz: A bill for an act entitled: "An act to amend section 31-105, Revised Codes of Montana, 1947, as amended by section 1, chapter 225, Laws of Montana, 1957, relating to qualifications of patrolmen—salary—probationary training—discharge—demotion—suspension—hearing; by increasing the number of patrol captains from five (5) to seven (7); by increasing the salary schedules of captains, sergeants, patrolmen and probationary patrolmen; by reducing residence requirements for patrolmen from five (5) years to three (3) years; by repealing all acts and parts of acts in conflict herewith; by providing for effective date of act.".....	104, 106, 432, 498, 521, 526, 527, 590, 593, SA-595, 647, 648, 664, 731.
139	Introduced by Babcock, Barrett, Broeder, Bradford, Bentz: A bill for an act entitled: "An act to amend section 31-104, Revised Codes of Montana, 1947, as amended by section 1, chapter 102, Laws of Montana, 1957, relating to supervisor—term—salary—resident requirement—supervisory power; by increasing the salary of the supervisor; by repealing all acts and parts of acts in conflict herewith; by providing for effective date of act."	104, 250, 427.
140	Introduced by Babcock, Barrett, Broeder, Bradford, Bentz: A bill for an act entitled: "An act to amend section 117, chapter 263, Laws of Montana, 1955, relating to stop lamps on new motor vehicles; by requiring vehicles manufactured or assembled after January 1, 1960, to be equipped with stop lamps and electrical urn signals; providing exceptions thereto; repealing all acts or parts of acts in conflict herewith.".....	104, 253, 278, 289, 290, 294, 558.
141	Introduced by Strnisha, Wood: A bill for an act entitled: "An act to repeal section 40-1201, as amended by section 1, chapter 179, Laws of Montana, 1955, sections 40-1202, 40-1203, and 40-1204, of the Revised Codes of Montana, 1947, relating to the state insurance commission."	104, 179, 220, 235, 236, 240, 662, 711, 712, 733.
142	Introduced by Wood, Barnard, Howard: A bill for an act entitled: "An act to provide for the reappropriation of the balance remaining in account	

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	number 766, of the legislative council, for the period beginning February 21, 1959, and ending June 30, 1959, and to provide for an effective date of this act.”.....	105, 259, 278, 289, 290, 296, 376, 399, 489, 499.
143	Introduced by Leuthold: A bill for an act entitled: “An act to amend section 81-433 of the Revised Codes of Montana, 1947, as amended by chapter 190, laws of 1949 and chapter 229, laws of 1951, relating to rental rates of state grazing lands upon the animal-unit-month basis; to provide for an increase in the rental rates of state grazing lands by use of a new formula for computation of such rates; and to provide for the repeal of all acts and parts of acts in conflict herewith.”.....	105, 378.
144	Introduced by Haines (Missoula), Barrett, Leuthold: A bill for an act entitled: “An act to amend sections 75-2516, 75-2518, and 75-2520, Revised Codes of Montana, 1947, relating to classes of certificates for teaching and providing for new classes of teachers certificates and stating the qualifications therefor, and providing for the renewal of outstanding certificates and providing for an emergency authorization to teach, and repealing section 75-2517, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith.”.....	108, 249, 266, 274, 289, 302, 654, 711, 712, 733.
145	Introduced by Sheehy, Cavan, Gerard, Felt: A bill for an act entitled: “An act relating to securities and creating the office of investment commissioner; providing for the administration of the act and prescribing certain powers and duties in connection therewith; providing for the registration of securities; providing for the registration of broker-dealers, salesmen, and investment advisors; exempting certain securities and security transactions from the provisions of the act; providing for consent to service of process; providing for registration fees under the act; providing for investigations; providing for judicial review of orders; defining terms; providing penalties; providing effective date of act; repealing section 66-2001; section 66-2002, as amended by section 1, chapter 178, Laws of Montana, 1957; section 66-2003, as amended by section 2, chapter 178, Laws of Montana, 1957; sections 66-2004 through 66-2006; section 66-2007, as amended by section 3, chapter 178, Laws of Montana, 1957; sections 66-2008 through 66-2017; section 66-2018, as amended by section 4, chapter 178, Laws of Montana, 1957; sections 66-2019 through 66-2022; section 66-2023, as amended by section 5, chapter 178, Laws of Montana, 1957; section 66-2024, as amended by section 6, chapter 178, Laws of Montana, 1957;	

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	sections 66-2025 and 66-2026, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith."	108, 268, 410, 502, 521, 526, 529, 666.
146	Introduced by Morrison, Gunderson, Walton: A bill for an act entitled: "An act to amend section 26-332 of the Revised Codes of Montana, 1947, relating to restrictions in the manner of taking fish, containing a repealing clause, and effective date."	109, 260, 278, 289, 290, 295, 554, 568, 569, 578, 644.
147	Introduced by Jardine, Abel, Holecek, Daniels: A bill for an act entitled: "An act to amend section 38-801, Revised Codes of Montana, 1947, pertaining to the establishment, supervision and control of the Montana State Training School at Boulder, Montana, to provide that the name of the institution shall be changed to 'Montana State Training School and Hospital'."	109, 249, 266, 277, 278, 282, 576, 589, 591, 619.
148	Introduced by Lees (by request): A bill for an act entitled: "An act to amend section 31-141 of the Revised Codes of the State of Montana, 1947, to provide for records to be kept by the state and county treasurers; repealing all acts or parts of acts in conflict with the provisions hereof, and providing for an effective date."	109, 155.
149	Introduced by Nelstead: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana an amendment to section 5, article XVI of the Constitution of the State of Montana, relating to election of county officers, to make it possible for county treasurers to succeed themselves; and providing an effective date."	109, 259, 278, 289, 320, 321, 576.
150	Introduced by Nelstead: A bill for an act entitled: "An act to amend section 16-2406 of the Revised Codes of Montana, 1947, relating to the term of office of county officers, to make it possible for county treasurers to succeed themselves; repealing all acts or parts of acts in conflict herewith, and providing for an effective date."	109, 259, 273, 289, 320, 323, 576.
151	Introduced by McNally, Powers, Healy: A bill for an act entitled: "An act to amend section 11-726 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 76, Session Laws of 1953, relating to the salaries of police judges; repealing all acts and parts of acts in conflict herewith; and, providing for an effective date of act."	109, 292.

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152	Introduced by Cavan, Loman, Sheehy, Barnard: A bill for an act entitled: "An act to amend section 94-7821 of the Revised Codes of Montana, 1947, as amended by chapter 194, laws of 1955, relating to the power of the court to suspend the execution of the sentence and place the defendant on probation and repealing all acts and parts of acts in conflict herewith."	109, 137, 151, 186, 221, 223, 576.
153	Introduced by Wood: A bill for an act entitled: "An act to amend section 10-622, Revised Codes of Montana, 1947, as amended by chapter 177 of Session Laws of the State of Montana, 1957, relating to the appointment, removal and salaries of probation officers for the juvenile departments of the District Courts in the State of Montana; and repealing all acts and parts of acts in conflict herewith."	109, 259.
154	Introduced by Committee on Judiciary: A bill for an act entitled: "An act relating to the judicial department of the State of Montana; providing for the retirement of District Court judges and justices of the Supreme Court, subject to being called into service for certain purposes; creating a judicial retirement fund and holding the same for retirement pay; requiring judges to obtain maximum benefits under section 68-101 to 68-1320, R.C.M., 1947, before obtaining any benefits under this act."	110, 373, 424, 454, 455, 460, 473, 474, 502, 701.
155	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend section 93-303, Revised Codes of Montana, 1947, relating to salaries of district judges."	110, 373, 383, 398, 416, 421, 502, 502, 710, 741, SA-786, 809, 810, 835.
156	Introduced by Fladager: A bill for an act entitled: "An act to amend section 23-304 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 92 of the Montana Session Laws of 1949, and to amend section 23-515 of the Revised Codes of Montana, 1947, both relating to poll books and precinct registers, to clearly distinguish between poll books and precinct registers; to amend section 23-519 of the Revised Codes of Montana, 1947, relating to compensation of county clerks on preparing precinct registers to provide for the same clarification; to amend section 23-527 of the Revised Codes of Montana, 1947, relating to omissions of names from poll books, to provide for the same clarification; to amend section 23-704 of the Revised Codes of Montana, 1947, relating to furnishing of blanks by county commissioners, pro-	

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	<p>viding for clarification of terms; to amend section 23-908 of the Revised Codes of Montana, 1947, relating to enclosing and sealing poll books and tally sheets, to include precinct registers; to amend section 23-1210 of the Revised Codes of Montana, 1947, relating to method of voting, to clarify terms used; to amend section 23-1219 of the Revised Codes of Montana, 1947, relating to lists of voters, to clarify terms used; to amend section 23-1311 of the Revised Codes of Montana, 1947, relating to duty of election judges, to clarify terms used; to amend section 23-1313 of the Revised Codes of Montana, 1947, relating to envelopes containing ballots providing clarification of terms; to amend section 23-1320 of the Revised Codes of Montana, 1947, relating to the duty of elector, to provide for clarification of terms; to amend section 23-1702, of Revised Codes of Montana, 1947, relating to mode of canvassing returns, to clarify language used therein; to amend section 23-1703 of the Revised Codes of Montana, 1947, relating to excessive ballots, to clarify language used therein; to amend section 23-1709 of the Revised Codes of Montana, 1947, relating to election returns by judges, to clarify language used therein; to amend section 23-1714 of the Revised Codes of Montana, 1947, relating to disposition of returns, and section 23-1715 of the Revised Codes of Montana, 1947, relating to place of filing records, to clarify language used therein; to amend section 11-2310 of the Revised Codes of Montana, 1947, relating to registration of electors in cities and towns for bond elections, to clarify language used therein; to amend section 16-2026 of Revised Codes of Montana, 1947, relating to who are entitled to vote in county bond elections, to provide for clarification of language used therein; to amend section 75-3912 of the Revised Codes of Montana, 1947, relating to school district bond elections as to electors and poll books, to clarify the language used therein; clarifications herein relate to proper reference to the various lists, books and registers in the above sections; and repealing all acts or parts of acts in conflict herewith."</p>	110, 300, 354, 392, 394, 406, 590, 638, 643, 666.
157	<p>Introduced by Barrett, Loman, Jardine, Cavan, Daniels: A bill for an act entitled: "An act authorizing the court to sentence a convicted misdemeanant to confinement with parole during the periods of the prisoners' employment; specifying the disposition to be made of the prisoner's earnings; setting forth conditions for diminution of the misdemeanant's sentence; declaring the consequences of the prisoners' violation of parole conditions; extending the provisions of this act to jail commitments for adjudicated contempt of a court of</p>	

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	record; containing a savings clause, effective date and repealing all acts and parts of acts in conflict.”	110, 137, 168, 224, 232, 234, 653, 740, SA-763, 815, 816, 817, 827.
158	Introduced by Wood: A bill for an act entitled: “An act to amend section 96, chapter 263, Laws of Montana, 1955, relating to the stopping, standing, or parking of motor vehicles outside of business or resident districts; by prohibiting persons from abandoning vehicles on highways or on public or private property; by repealing all acts or parts of acts in conflict herewith; by providing for effective date of act.”	111, 253, 273, 289, 311, 326, 332, 654.
159	Introduced by McNally, Powers, Glancy: A bill for an act entitled: “An act to amend section 11-1806, Revised Codes of Montana, 1947, relating to the presentation and trial of charges brought against policemen; providing for fifteen (15) days’ written notice of charges; for rules of evidence applicable to hearing; for judicial review of subpoena power of the police commission; for limitation of veto and modification power of the mayor; for judicial review of all questions of fact and law; for the types of municipalities and cities to which this section shall apply; providing for appeal for all suspensions of officers; for defining the word ‘mayor’, and repealing all acts and parts of acts in conflict therewith.”	111, 155, 220, 235, 236, 242, 375, 377, 383, 398, SA-409, 469, 502, 536.
160	Introduced by Tonner, Holding, Karlberg, Emmons and by request to comply with recommendation of Chairman, State Board of Equalization. A bill for an act entitled: “An act to amend section 84-1502 of the Revised Codes of Montana, 1947, providing for deductions allowed in computing income for the purpose of the corporation license tax and providing for a limit upon the amount of depletion allowed for oil and gas and containing a repealing clause.”	111, 119, 121, 466.
161	Introduced by Moudree, Cerovski, Glead: A bill for an act entitled: “An act to amend section 26-202.3 of the Revised Codes of Montana, 1947, as enacted by section 3, chapter 267 of the Laws of the Thirty-fourth Legislative Assembly of the State of Montana of 1955, relating to definition of resident for purposes of fishing and hunting; to provide for the inclusion of the employees of certain government agencies; containing a repealing clause and providing an effective date.”	111, 273, S-273, 290, 312, 320, 323, 375.

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Sub. 161	Introduced by Fish and Game Committee: A bill for an act entitled: "An act to amend section 26-202.3 of the Revised Codes of Montana, 1947, as enacted by section 3, chapter 267 of the Laws of the Thirty-fourth Legislative Assembly of the State of Montana of 1955, relating to definition of resident for purposes of fishing and hunting; to provide for the exclusion of the employees of certain government agencies; containing a repealing clause and providing an effective date."	273, 290, 312, 320, 323, 375.
162	Introduced by Healy, Casey: A bill for an act entitled: "An act to authorize city councils in cities of first class to levy not more than five (5) mills on all property within the city in addition to the maximum levies authorized by law, whenever the assessed valuation of said city falls below nineteen million dollars; and containing a repealing clause."	111, 226, 252, 255, 270, 272, 273, 274, 278.
163	Introduced by Wold, Barrett: A bill for an act entitled: "An act authorizing the establishment of temporary roadblocks on the highways of the State of Montana to apprehend criminals and check vehicles for safety equipment; by defining a temporary roadblock and the purpose for which it may be used; by providing minimum requirements in establishing temporary roadblocks and other matters properly relating thereto; by fixing penalty for violation of act; by repealing all acts or parts of acts in conflict herewith; by providing for effective date of act."	111, 264, 278, 289, 290, 295, 576, 593, SA-594, 623, 643, 666.
164	Introduced by Sheehy, Wright, DeWolfe: A bill for an act entitled: "An act to repeal sections 94-3557, and 94-3558 of the Revised Codes of Montana, 1947, relating to the admission of patients to hospitals, and criminal penalties."	112, 221, 280, 298, 335, 341, 356, 377, 393, 394, 406.
165	Introduced by Sheehy, Jardine, Battin: A bill for an act entitled: "An act to amend section 48-118 of the Revised Codes of Montana, 1947, relating to consent of parents to marriage of minors; by providing for consent of father, mother, guardian or person under whose care and government such minor may be, providing that marriages contracted without such consent shall be voidable; and containing a repealing clause."	112, 137, 151, 186, 221, 223, 590, 617, 618, 623, 697, 783.
166	Introduced by Bradford, Babcock, Bentz, Reeder:	

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	A bill for an act entitled: "An act to amend section 31-125, Revised Codes of Montana, 1947, as amended by section 1, chapter 79, Laws of Montana, 1957, relating to the licensing of operators and chauffeurs; providing that persons who are engaged in a gainful occupation or business enterprise or persons who have resided in Montana for a period exceeding six (6) months must be licensed to drive motor vehicles under the laws of this state; repealing all acts or parts of acts in conflict herewith."	112, 264, 278, 289, 302, 303, 576, 578, 579, 591, 644.
167	Introduced by the Committee on Education: A bill for an act entitled: "An act to amend section 75-2707, Revised Codes of Montana, 1947, as amended by chapter 160, Laws of 1955; and section 75-2712, Revised Codes of Montana, 1947, relating to the minimum retirement benefits paid by the teacher's retirement system under the present system and under the former retirement system, to provide for an increase in the minimum annual retirement allowance."	115, 226, 258, 272, 273, 276, 661, 740, 761, 815, 816, 818, 827.
168	Introduced by the Committee on Education: A bill for an act entitled: "An act to amend section 75-2709 of the Revised Codes of Montana, 1947, relating to the method of financing the teachers' retirement system of the State of Montana; to provide for an increase in the employers' contribution to the pension accumulation fund; and repealing all acts and parts of acts in conflict herewith."	115, 226, 252, 272, 273, 276, 661, 740, 761, 815, 816, 817, 821, 827, 828.
169	Introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the purchase of cumulative pocket supplements of 1959, for the Revised Codes of Montana, 1947."	115, 168, 217, 235, 236, 240, 376, 399, 475, 489, 821, 828.
170	Introduced by McGarvey, Holding, Barrett, Howard: A bill for an act entitled: "An act amending sections 75-4103 and 75-4104, of the Revised Codes of Montana, 1947, providing for the election and the term of office of county high school trustees, and stating the qualifications for voting at such election; providing for the nominations of the candidates for county high school boards, and for the procedures and regulations necessary for the calling and holding of the annual election of such	

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	county high school trustees, and for their assumption of office; and amending section 75-4105, of the Revised Codes of Montana, 1947, providing for the filling of vacancies on the county high school boards; and containing a repealing clause, and providing for an effective date."	117, 218, 416, 474, 501, 515, 518, 710, 740, 742, 783, 796, 821, 833, 834, 835.
171	Introduced by Picard, Gill, Cerovski, Strnisha: A bill for an act entitled: "An act to amend section 69-2701, of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 136, of the Montana Session Laws of 1957, relating to the definition of fireworks, to provide more adequate definition for fireworks for the purposes of this act; to amend section 69-2702 of the Revised Codes of Montana, 1947, and section 69-2704, of the Revised Codes of Montana, 1947, relating to the sale or use of fireworks as herein defined; to amend section 69-2706, of the Revised Codes of Montana, 1947, relating to penalties, to provide for penalties for violations of this act; containing a repealing clause."	117, 353, 437, 455, 461, 477, 709, 739, SA-760, 815, 816, 817, 827.
172	Introduced by Livestock Committee: A bill for an act entitled: "An act to amend section 46-1005, Revised Codes of Montana, 1947, relating to the definition of 'estrays' in the livestock law; eliminating the phrase 'over one year' qualifying calf and colt; repealing conflicting acts; providing effective date."	117, 152, 168, 224, 236, 241, 620, 647, 648, 664, 731.
173	Introduced by Walton, Nees, Powell, Langston: A bill for an act entitled: "An act to amend section 46-504, Revised Codes of Montana, 1947, relating to the licensing and inspection of meat by eliminating the words 'or for the use of himself and three (3) neighbors'; containing a repealing clause and effective date."	117, 152, 168, 224, 232, 234, 620, 623, 643, 665.
174	Introduced by Elting, Aasheim, Leuthold: A bill for an act entitled: "An act to amend section 46-609, Revised Codes of Montana, 1947, relating to the fees for recording marks and brands by increasing said fees; containing a repealing clause."	117, 152, 168, 218, 344, 377, 383, 388, 620, 638, 643, 666.
175	Introduced by Nees, Aasheim: A bill for an act entitled: "An act to amend section 75-4609, Revised	

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	Codes of Montana, 1947, relating to special levy elections in high school districts and repealing all acts and parts of acts in conflict herewith.".....	117, 411.
176	Introduced by Tonner, Wood, Langston, Emmons, Aasheim, Bardanouve, McOmber, Harball, Glancy, Eskildsen: A bill for an act entitled: "An act requiring every person, firm, co-partnership, association, joint stock company, syndicate and corporation engaged in working or operating any mine or mining property in the State of Montana from which sand, gravel, lignite, phosphate rock, stone, limestone, bentonite, barite, fluorspar, talc and clay are mined, produced or extracted, to pay to the State Board of Equalization for engaging in and carrying on such business, certain license taxes for the exclusive use and benefit of the State of Montana; defining terms, fixing the amount of such license taxes; prescribing a method for the assessment and collection thereof; prescribing penalties for violations of the provisions of this act; and repealing all acts and parts of acts in conflict herewith; and providing for an effective date."	117, 459.
177	Introduced by Hanks, Babcock: A bill for an act entitled: "An act to require tow cars to be equipped with lights and warning devices for the protection of motorists; by prescribing the procedure for mounting and displaying such lights and warning devices; by providing that the operators of tow car must clean debris from roadway at accident scenes; by providing for warning devices on disabled vehicles being towed during hours of darkness; by fixing penalty for violation of act; by repealing all acts or parts of acts in conflict herewith by providing for effective date of act."	118, 253, 273, 289, 290, 295, 710, 740, SA-767, 815, 816, 818, 827.
178	Introduced by Hanks, Wood: A bill for an act entitled: "An act to amend section 31-156, Revised Codes of Montana, 1947, relating to parents or guardians allowing unlicensed minors to drive motor vehicles; prohibiting any person from allowing an unlicensed minor to drive a motor vehicle; repealing all acts or parts of acts in conflict herewith."	118, 253, 278, 297, 302, 305, 558.
179	Introduced by Leuthold, Regan: A bill for an act entitled: "An act to amend section 5-506 of the Revised Codes of Montana, 1947, relating to limitation on real estate loans by commercial banks, to provide for extending the duration of said loans to twenty (20) years under certain circumstances; and containing a repealing clause."	121, 146, 168, 224, 232, 234, 338, 351, SA-179, 361, 397.

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180	Introduced by Tonner, Emmons, Holding, Karlberg, Glancy, Clowes, Barnard, Healy, Holtz, Mernin, McOmber, Eskildsen, Harball, Langston: A bill for an act entitled: "An act to amend section 70-106 of the Revised Codes of Montana, 1947, relating to power of Public Service Commission of Montana to ascertain property values; providing for establishment of rates and charges for public utilities by said commission based upon revenue requirements, investigation and evidence before the commission taking into consideration lawful annual operating expenses, capital investment and costs of capital in the public utility or similar public utilities; providing that any orders returning excessive revenues to such public utility shall be unlawful and unreasonable and containing a repealing clause."	121, 463, 469.
181	Introduced by Leuthold, Regan: A bill for an act entitled: "An act to amend section 52-305 of the Revised Codes of Montana, 1947, relating to duration of liens of chattel mortgages, to provide for extending the time of the duration of the lien to three (3) years; and containing a repealing clause."	121, 254.
182	Introduced by Holding, Gunderson, Sheehy, Healy, Emmons: A bill for an act entitled: "An act to repeal sections 71-241, 71-244, 71-245, 71-246 and 71-248, Revised Codes of Montana, 1947, relating to liens upon the property of applicants for public assistance and to amend sections 71-243 and 71-247, Revised Codes of Montana, 1947, relating to recovery from the estate of a decedent who had received public assistance other than aid to dependent children or general relief and providing for preferred claims against the estate of decedent who was the recipient of public assistance other than aid to dependent children or general relief and setting forth when such preferred claim may be filed against the estate of the recipient by the State Board of Public Welfare, providing for the filing of certificates of public assistance by the county department of Public Welfare with the county clerk and recorder and making the filing of such certificate constructive notice as to the prior and superior claim of the State Board of Public Welfare upon the home and real property of decedent, and repealing all acts and parts of acts in conflict herewith."	121, 156, 216, 225, 395, 423, 461, 477, 709.
183	Introduced by Aasheim, Walton, DeWolfe, Kiff, Langston, Gerard, Morrison: A bill for an act entitled "An act providing for the construction, furnishing and equipping a livestock sanitary board diagnostic laboratory building in Gallatin County, Montana; authorizing the State Board of	

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	Examiners to issue and sell bonds for such purpose; designating the funds from which said bonds shall be paid; providing for an interest and sinking fund; approving expenditures of \$100,000.00 from the Livestock Sanitary Board fund 151; pledging amounts to meet principal and interest on said bonds from the levy imposed by section 84-5211, R. C. M., 1947; providing a repealing clause and effective date of this act.".....	122, 280, 298, 329, 341, 342, 350, 804, 823, 827.
184	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend section 25-232, Revised Codes of Montana, 1947, and section 25-233, Revised Codes of Montana, 1947, relating to the fees to be collected by the clerks of the District Courts and providing for the disposition of such fees and repealing all acts and parts of acts in conflict herewith."	122, 373, 437, 455, 460, 487, 502, 503, 701.
185	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend section 82-503, Revised Codes of Montana, 1947, relating to the fees to be collected by the clerk of the Supreme Court; providing for the disposition thereof; and repealing all acts and parts of acts in conflict herewith."	122, 373, 398, 423, 455, 487, 502, 503, 701.
186	Introduced by Gilfeather, Moudree: A bill for an act entitled: "An act to amend section 52-112 of the Revised Codes of Montana, 1947, relating to power of sale of mortgaged property, to provide for public sale after proper notice; containing a repealing clause and providing for an effective date."	122, 254, 273, 297, 302, 304, 644.
187	Introduced by Felt, Wood: A bill for an act entitled: "An act to amend section 84-2006 of the Revised Codes of Montana of 1947, relating to computation and notice of metalliferous mines' license tax and providing that the same is due and payable on the thirtieth day of June following certification of the tax due to the state treasurer and to amend section 84-2007 of the Revised Codes of Montana of 1947 relating to penalty in case of delinquent license taxes and providing that all license taxes assessed under this act shall become delinquent on the thirtieth day of June following assessment and repealing all acts and parts of acts in conflict herewith."	122, 360, 381, 398, 416, 421, 708, 733, 742.

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188	<p>Introduced by McOmber, McNally, Walton, Elting: A bill for an act entitled: "An act creating and establishing a Montana state game wardens' retirement system; defining the terms 'accumulated deduction', 'beneficiary,' 'retired state game warden,' 'board,' 'contributor,' 'final salary,' 'actuarial equivalent', 'fund', 'involuntary retirement', 'member's annuity,' 'optional retirement age,' 'retirement age,' 'retirement allowance,' 'state annuity,' 'state game warden;' creating a Montana state game wardens' retirement board; providing for payments into the Montana game wardens' retirement fund; providing the board may establish rules and regulations for proper administration, operation and enforcement of this act; defining who shall be members of said retirement system; creating a state game wardens' retirement fund; providing for contributions by members of the Montana state game wardens; providing for contributions by the State of Montana; providing for retirement, voluntary retirement, retirement allowance, disability retirement allowance; involuntary retirement allowance; refunds in case of resignation or discharge, payments upon death, payments in case of death from natural causes; providing for monthly payments of retirement allowances; providing for the exemption from taxes and execution of member's annuity; providing for the manner of designating beneficiaries; providing for service in the armed forces of the United States; prohibiting fraud and providing for the manner of correcting errors; providing for restrictions on payments to beneficiaries; providing for the subrogation of the State of Montana to the rights of the members or dependents against certain third parties; providing for payments under other laws; providing for optional retirement allowances; providing that each game warden shall be ineligible to membership in state public employees' retirement system; providing that the constitutional provisions of this act are severable; providing this act shall be in full force and effect from and after its passage and approval; and repealing all acts and parts of acts in conflict herewith."</p>	<p>122, 154, 273, 297, 317, 341, 355, 357, 709.</p>
189	<p>Introduced by Daniels (by request): A bill for an act entitled: "An act to be known as the Montana water well drillers act; declaring that the drilling or making of water wells in Montana is a business affecting the public interest and health; creating the water well drillers examining board of the state of Montana, providing for its members, terms, oath, seal and employees; providing for the powers and duties of the board; providing for the issuance of licenses by the board and fees to be charged therefor; providing for the term of the</p>	

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	license year; providing for examination and qualifications of applicants for licenses; providing for revocation and suspension of licenses; providing for appeals from decisions of the board; providing for responsibility of land owners to comply with this act; repealing acts or parts of acts in conflict herewith; providing an effective date of the act."	123, 344.
190	Introduced by Daniels: A bill for an act entitled: "An act to amend section 16-1001, Revised Codes of Montana, 1947, relating to powers of supervision of boards of county commissioners; providing that the board of county commissioners shall have power to pay proper charge for insurance providing indemnity to any county officer against liability for loss, without fault, of money, securities or other property; repealing acts or parts of acts in conflict herewith; providing act to be effective upon passage and approval."	123, 259.
191	Introduced by Sheehy, Regan, Page (Missoula): A bill for an act entitled: "An act to amend section 68-102, Revised Codes of Montana, 1947, as amended by section 1, chapter 92, Laws of Montana, 1955, relating to definitions of terms used in the public employees' retirement act by redefining the terms 'public agency' and 'state employee'; to amend section 68-203, Revised Codes of Montana, 1947, as amended by section 3, chapter 92, Laws of Montana, 1955, relating to whom are ineligible for membership in the public employees' retirement system; to amend section 68-701, Revised Codes of Montana, 1947, as amended by section 2, chapter 176, Laws of Montana, 1953, and section 5, chapter 92, Laws of Montana, 1955, relating to the management of the retirement fund with respect to the refund of member's contributions; to amend section 68-801, Revised Codes of Montana, 1947, as amended by section 5, chapter 186, Laws of Montana, 1951, and section 1, chapter 35, Laws of Montana, 1955, relating to voluntary service retirements with respect to the effective date thereof; and to amend section 68-901, Revised Codes of Montana, 1947, as amended by section 6, chapter 186, Laws of Montana, 1951, relating to the minimum guarantee by providing a minimum guarantee for all members eligible for retirement at the age of seventy (70) years; and providing that invalidity of a part of this act shall not affect or impair the remainder, that this act shall become effective upon its passage and approval, and repealing all acts or parts of acts in conflict herewith."	123, 273, 326, 338, 356, 377, 393, 394, 407, 753, 815, 816, 817, 827.
192	Introduced by McGarvey: A bill for an act entitled:	

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	"An act to amend section 75-104, of the Revised Codes of Montana, 1947, relating to the officers of the State Board of Education; providing for the election of a chairman thereof from among the appointed members of said board and for such other officers as may be necessary for the effective administration of the university system."	123, 411, 458, 473, 489, 494, 670, 675, 710, 741, SA-786, 815, 816, 818, 827.
193	Introduced by McGarvey: A bill for an act entitled: "An act to amend section 75-301, of the Revised Codes of Montana, 1947, relating to the general control of state institutions; providing for the general control and supervision of units of the university system in the State Board of Education."	124, 384, 458, 473, 489, 494, 670.
194	Introduced by McGarvey: A bill for an act entitled: "An act to amend section 75-107 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 92 of the Montana Session Laws of 1951, as amended by section 2, chapter 236 of the Montana Session Laws of 1953 relating to the powers and duties of the State Board of Education; providing that the State Board of Education shall serve ex officio as regents of the University of Montana; providing that the University of Montana is constituted a body corporate and politic; providing that the executive secretary of the University of Montana shall serve as the secretary for the board sitting as the university regents, and providing for an effective date."	124, 411, 461, 497, 498, 501, 515, 519, 670, 675, 753, 794, 795, 810.
195	Introduced by McGarvey: A bill for an act entitled: "An act to amend section 4-403 of the Revised Codes of Montana, 1947, as amended, relating to the limitation of the number of retail liquor licenses that may be issued by the Montana Liquor Control Board in incorporated cities and towns and in areas outside incorporated cities and towns; deleting the provisions that veterans' organizations and fraternal organizations are not to be governed by such limitations; and repealing all acts and parts of acts in conflict herewith."	124.
196	Introduced by McNally, Powers, Glancy: A bill for an act entitled: "An act to amend section 16-3706 of the Revised Codes of Montana, 1947, relating to the number of deputy treasurers, assessors, auditors and county attorneys; and providing for an effective date of act."	124, 156.
197	Introduced by Abel, Healy, Schwinden, Battin: A	

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	bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana, amending section 6 of article XVI of said constitution, relating to the authorization of the Legislative Assembly to provide for the election or appointment of county, township, precinct and municipal officers not otherwise in the constitution provided as public convenience may require increasing the limit of time of office from two years to four years."	139, 280, 287, 316, 352, 358, 359, 369, 804, 815, 816, 818, 827, 834.
198	Introduced by Sheehy, Battin: A bill for an act entitled: "An act to amend section 93-8007, Revised Codes of Montana, 1947, providing for a stay of execution in appeals from judgments or orders directing the payment of money; providing for an undertaking on appeal from judgments and orders directing the payment of money, and prescribing the provisions and contents thereof."	139, 254, 278, 297, 302, 306, 620, SA-625, 673, 674, 675, 707.
199	Introduced by Sheehy, Felt, Angstman, Page (Missoula): A bill for an act entitled: "An act to amend section 82-107, Revised Codes of Montana, as enacted by chapter 194, Laws of Montana, 1951, increasing the salary of the state controller from \$7,000.00 per annum to \$9,600.00 per annum; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	139, 427.
200	Introduced by Tonner, Haines (Missoula), Barnard, Cerovski, Felt, Gerard, Barrett, Broeder: A bill for an act entitled: "An act to authorize the incorporation of development credit corporations for the purpose of promoting, developing, and advancing the prosperity and economic welfare of the state."	139, 378, 379, 462, 509, 521, 526, 527, 644.
201	Introduced by Gunderson: A bill for an act entitled: "An act to amend subsection (5) of section 23-929, Revised Codes of Montana, 1947, relating to the meeting of the County Central Committee and the organization of said committee."	140, 300, S-300, 302, 352, 358, 359, 372, 753, 794, 795, 810.
Sub. 201	Introduced by Committee on Privileges and Elections: A bill for an act entitled: "An act to amend section 23-929 of the Revised Codes of Montana, 1947, as amended by section 3, chapter	

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	266 of the Montana Session Laws of 1955, relating to manner of election of county and city central committeemen, to delete the limitation limiting the meetings of county and city central committeemen to the year when a President of the United States is to be elected."	300, 302, 352, 358, 359, 372, 753, 794, 795, 810.
202	Introduced by Parker, McOmber: A bill for an act entitled: "An act to amend section 75-2901, Revised Codes of Montana, 1947, as amended by chapter 53, laws of 1955, relating to compulsory school attendance and repealing all acts and parts of acts in conflict herewith."	140, 292, 341, 358, 359, 370, 576, 578, 579, 591, 619.
203	Introduced by Cavan, McGaffick, Barnard, Curry, Howard: A bill for an act entitled: "An act to amend section 94-4106 of the Revised Codes of Montana, 1947, prohibiting lewd and lascivious acts upon or with the body of children under the age of sixteen (16) years, providing an effective date and repealing all acts in conflict herewith."	140, 227, 257, 272, 273, 276, 590, 617, 618, 623, 644.
204	Introduced by Holtz, Lees, Tonner, Haines (Missoula), Paulsen: A bill for an act entitled: "An act authorizing officers and employees of the State of Montana to enter into group insurance contracts for the benefit of such officers, employees, and their dependents; authorizing the state auditor to deduct the premiums therefor, not to exceed ten dollars per month, from such officers' or employees' salary; repealing acts in conflict and providing an effective date."	140, 292.
205	Introduced by Daniels (by request): A bill for an act entitled: "An act validating certain instruments affecting real property, which were erroneously executed or acknowledged, notice imparted by recording thereof, and providing that duly certified copies thereof may be read in evidence, with like effect as copies of an instrument duly executed, acknowledged and recorded; and containing a repealing clause."	140, 227.
206	Introduced by Daniels (by request): A bill for an act entitled: "An act validating certain instruments affecting real property which omit address of grantee, mortgagee or assignee—and providing that copies of such may be used as evidence; and containing a repealing clause."	140, 227.
207	Introduced by Daniels (by request): A bill for an act entitled: "An act to cure defects in deeds and conveyances heretofore made to real property that	

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	are defective in execution or acknowledgment; and containing a repealing clause."	140, 227.
208	Introduced by Wood, Barnard, Nelstead, Schwinden: A bill for an act entitled: "An act to amend section 70-103 of the Revised Codes of Montana, 1947, relating to public utilities and providing for classifying community antenna service or microwave service, when a toll, fee, or other charge, direct or indirect, is made for the privilege of transporting to or viewing television in homes or other places of abode, to companies furnishing community antenna service as a public utility."	140, 316, 317, 373, 399, 423, 454, 462, 478, 710, 741, SA-787, 794, 795, 810.
209	Introduced by Wood: A bill for an act entitled: "An act to amend section 97, chapter 263, Laws of Montana, 1955, relating to the authority of officers or highway patrolmen to remove illegally stopped vehicles; providing officers or highway patrolmen with authority to remove unattended or abandoned vehicles to a garage or other place of safety: (1) Whenever any vehicle is left unattended on a bridge or causeway or in any tunnel, (2) Whenever any vehicle is illegally parked so as to block the entrance to a private driveway or so parked as to prevent access by fire-fighting equipment, (3) Whenever any stolen or embezzled vehicle is found on a highway or the right of way thereof, (4) Whenever any vehicle upon a highway is so disabled as to constitute a hazard and the person in charge of such vehicle is incapacitated because of physical injuries, (5) Whenever an officer or highway patrolman arrests any person driving or in control of a vehicle, (6) Whenever any vehicle, except any highway maintenance or construction equipment is left unattended for more than twenty-four (24) hours upon any public highway or the right of way thereof, provided, however, that disabled trucks or truck trailer combinations which have been safeguarded as required by section 148, chapter 263, laws of 1955, as amended, shall not be removed for a period of seventy-two (72) hours unless such vehicle or vehicles have been left unattended in such a location or position on the highway which creates a hazard to other users of the highway, (7) Whenever any vehicle has been abandoned or left unattended upon any private property adjacent to a public highway and the owner or person in control of such property has requested such vehicle to be removed, and (8) Whenever any vehicle has been left unattended upon any roadway or portion thereof and such vehicle causes an obstruction or creates a hazard for other users of the highway; requiring officers or highway patrolmen to notify owners, if possible, of such removed vehicles; pro-	

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	viding that the registrar of motor vehicles will assist to locate and notify owners which cannot be located by officers or highway patrolmen; providing that proprietors or owners of garages or other places of storage who have a lien dependent upon his possession for his compensation for towage, caring for and keeping safe such vehicle, may satisfy his lien in the manner as is provided in sections 45-1106, 45-1107, 45-1108, 45-1109 and 45-1110, Revised Codes of Montana, 1947, provided such vehicle has been stored, cared for or in safe keeping for a period of ninety (90) days and has not been recovered by the owner or the owner is unknown; repealing all acts or parts of acts in conflict herewith."	140, 253, 298, 335, 341, 355, 358, 654.
210	Introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend section 25-501, Revised Codes of Montana, 1947, relating to salaries of state officers."	141, 373, 398, 423.
211	Introduced by Holding, Karlberg: A bill for an act entitled: "An act to amend section 53-108 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 244 of the Montana Session Laws of 1955, as amended by section 1, chapter 146 of the Montana Session Laws of 1957, relating to renewal of registration of motor vehicles; to provide for varying expiration and renewal dates; to amend section 53-114, as amended by section 1, chapter 195 of the Montana Session Laws of 1953, as amended by section 1, chapter 256 of the Montana Session Laws of 1955, as amended by section 1, chapter 223 of the Montana Session Laws of 1957; relating to application for registration of motor vehicles and payment of license fees; to provide for varying assessment dates; providing for various periods of registration and assessments; providing for commencement dates of registration; to amend section 84-406 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 256 of the Montana Session Laws of 1955, relating to time for assessments to be made; to provide for the assessment of vehicles to conform to the provisions of this act; repealing all acts and parts of acts in conflict herewith, and providing an effective date."	141, 284, 424, 502, 521, 526, 530, 654.
212	Introduced by Wood, Howard: A bill for an act entitled: "An act to provide for the stamping or labeling the date of freezing on all frozen foods sold or offered for sale, within the state; providing that such stamping or labeling must be affixed by the processor at the time of freezing; providing for the administration of this act; providing that no frozen food shall be sold, or offered	

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	for sale, in this state without said stamping or label; providing a penalty; containing a repealing clause and providing for an effective date.".....	141, 353.
213	Introduced by Gerard, Langston, Gleed, Walton, Wood, Kiff, Elting: A bill for an act entitled: "An act to amend section 26-104 of the Revised Codes of Montana, 1947, relating to powers and duties of the State Fish and Game Commission, to provide for the acquisition of lands or waters by exchange, to eliminate condemnation as a power of the commission, and to provide for a hearing prior to the acquisition of lands or waters; containing a repealing clause.".....	142, 498.
214	Introduced by Gunderson, Picard, Parker, Bardanoue, Strnisha, McGaffick, Higham, Tonner, Harball, Sheldon (Flathead), McNally, Kvaalen, Powers, Eskildsen, Nees, Shelden (Lincoln), Wood, Barnard, Holtz, Gilfeather, McOmber, Cavan: A bill for an act entitled: "An act to authorize and direct that the State Highway Commission acquire a tract of school land in Cascade County to be used for public recreation purposes; allowing the commission to accept gifts for the purchase and management of the tract, appropriating gifts to be received, and setting an effective date, providing a repealing clause.".....	142, 273, 297, 312, 320, 324, 654.
215	Introduced by Hawks: A bill for an act entitled: "An act to amend section 32-1014, Revised Codes of Montana, 1947; providing it shall be unlawful to dump garbage upon or near a highway; providing a penalty for violation thereof; including public property; providing for enforcement by sheriff ¹⁴⁸ , policemen, highway patrol, game wardens and other enforcement agencies of the state; repealing all acts or parts of acts in conflict herewith.".....	142, 264, 278, 297, 311, 317, 341, 356, 377, 393, 416, 421, 710, 740, SA-767, 815, 816, 818, 827.
216	Introduced by Nichols, Strnisha: A bill for an act entitled: "An act to change the name and broaden the authorization of the horticulture branch experiment station; providing that the State Board of Education may accept real and personal property to carry out the expressed function of this act; and containing a repealing clause.".....	142, 280, 298, 335, 336, 340, 554, 568, 569, 578, 620.
217	Introduced by Tonner, Strnisha, Holtz, Emmons, Parker, Sheldon (Flathead), Harball, Langston, Page (Granite), Jensen, Clowes, Shelden (Lincoln), Holding: A bill for an act entitled: "An act pro-	

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	<p>viding the right of the people in a local county or district to form public utility districts by election and with local autonomy in district affairs; providing for formation, organization, powers, financing, consolidation of public utility districts; providing for local election of commissioners for administration of districts, appointment of qualified managers; providing for development on a district wide basis to benefit all inhabitants, rural and urban, and establishment of rates on a uniform and non-discriminatory basis; providing for payment of taxes to local and state governments, and schools; providing for placement of service above profit in utility services; providing for conservation of water and power resources of the State of Montana for benefit of the people thereof; providing for severability, rule of construction, and repealing conflicting acts.".....</p>	142, 432, 433.
218	<p>Introduced by Jensen, Emmons: A bill for an act entitled: "An act to repeal section 94-3573, Revised Codes of Montana, 1947, which prohibits the showing or exhibition of any scenes or pictures depicting burglaries, train robberies or other acts which would constitute a felony, providing for an effective date."</p>	146, 269, 278, 297, 302, 306, 590, 617, 618, 623, 644.
219	<p>Introduced by Nelstead: A bill for an act entitled: "An act validating certain instruments affecting real property and which were erroneously executed or acknowledged, notice imparted by recording thereof, and providing that duly certified copies thereof may be read in evidence, with like effect as copies of an instrument duly executed, acknowledged and recorded and containing a repealing clause."</p>	147, 227.
220	<p>Introduced by Jardine, Lees, Haines (Missoula): A bill for an act entitled: "An act to amend sections 75-1305 and 75-1308 of the Revised Codes of Montana, 1947, relating to the furnishing of school laws to school officers by the Superintendent of Public Instruction; providing that the Superintendent of Public Instruction shall furnish copies of the school laws of the state, at cost, to any school trustee, superintendent, clerk, principal, or other officer requiring the same; and repealing all acts or parts of acts in conflict herewith."</p>	147, 327, 355, 392, 394, 407, 577.
221	<p>Introduced by Barrett, Langston, Bentz, Gill: A bill for an act entitled: "An act to amend section 66-229 of the replacement volume of the Revised Codes of the State of Montana, 1947, as enacted in section 10, chapter 111 of the laws of 1955, relating to exemption from the auctioneers and auction sales act, to provide for the exemption of</p>	

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	individuals maintaining an established place of business and inventory of goods and upon which county personal property taxes have been assessed."	147, 344, 378, 398, 416, 421, 710, 740, SA-769, 815, 816, 818, 827.
222	Introduced by Broeder, Sales, Holtz: A bill for an act entitled: "An act to amend section 66-817 Revised Codes of Montana, 1947, to provide penalties and injunctive relief for practicing cosmetology without a license or teaching cosmetology without a license or for failing to keep pricing agreements as provided by section 66-806, Revised Codes of Montana, 1947, and to make it unlawful to violate the provisions of sections 66-801, through 66-818, as amended, and amending section 66-815, Revised Codes of Montana, 1947, for the purpose of providing for licensing a person to practice cosmetology and charging a fee therefor and repealing all acts and parts of acts in conflict herewith."	147, 269, 284, 312, 333, 336, 339, 662, 694, 695, 722, 791.
223	Introduced by Battin: A bill for an act entitled: "An act to prohibit political activity of highway patrolmen; containing a repealing clause."	147, 254.
224	Introduced By Battin: A bill for an act entitled: "An act providing that a course in American history and government shall be taught in all accredited elementary, junior high and high schools in the State of Montana from grade seven through twelve inclusive, providing a repealing clause."	147, 465, 470.
225	Introduced by Battin: A bill for an act entitled: "An act to amend section 11-2008 (a) Revised Codes of Montana, 1947, as amended by chapter 75, laws of 1957, relating to fire protection districts by authorizing county commissioners to contract for private fire service protection and that such contracts shall be on the basis of an independent contractor; and to amend section 11-2010 (a), Revised Codes of Montana, 1947, as amended by chapter 75, laws of 1953, relating to fire district trustees by authorizing county commissioners to contract with a city, town or private fire company to furnish fire protection within the district; containing a repealing clause."	147, 344, 424, 455, 461, 478, 590, 593, SA-595, 647, 648, 664, 707.
226	Introduced by Bradford, Regan, Gilfeather, Mernin, Holtz, Gunderson: A bill for an act entitled: "An act to amend section 16-2414 of the Revised Codes of Montana, 1947, as amended by section 2, chap-	

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	ter 199 of the Montana Session Laws of 1957, relating to the hours when certain county officers shall keep their offices open; to provide such offices may be closed on Saturdays; to provide when justices of the peace shall keep their offices open; containing a repealing clause, and providing an effective date."	148, 379, 410, 461, 497, 502, 503.
227	Introduced by Felt, Regan, Howard: A bill for an act entitled: "An act to amend section 71-405 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 155, laws of 1949, as amended by section 18, chapter 199, laws of 1957, relating to the county share of participation in old age assistance grants; to amend section 71-508 of the Revised Codes of Montana, 1947, as amended by section 6, chapter 71, laws of 1957, relating to the county share of participation in aid to dependent children grants; to amend section 71-611, Revised Codes of Montana, 1947, as amended by section 2, chapter 155, laws of 1949, as amended by section 32, chapter 199, laws of 1951, and as amended by section 8, chapter 71, laws of 1957, relating to the county share of participation in aid to needy blind grants; to amend section 71-1206, enacted as section 6, chapter 160, of the Session Laws of the Thirty-second Legislative Assembly of the State of Montana, 1951, as amended by section 10, chapter 71, laws of 1957, relating to the county share of participation in aid to the permanently and totally disabled grants; repealing all acts and parts of acts in conflict herewith."	148, 365.
228	Introduced by Wood, Bradford, Schwinden, Clowes, Bardanouve, Aasheim, Barrett, Healy, Barnard, Holtz, Gunderson, Barnes, Gilfeather, Holecek, Nees, Eskildsen, Hanks, Jardine, McOmber, Tonner, Harball, Abel, Picard, Emmons, Jensen, Mermin, Wayrynen, Gill: A bill for an act entitled: "An act imposing taxes in consideration of the use of the public highways of Montana by motor vehicles; defining the terms person, motor vehicle, commission, farm vehicle and logging vehicle; making it unlawful to use the public highways of the state without first securing a use permit; providing rate schedules; providing for special mobile equipment; providing the method for obtaining a use permit; providing the dates upon which the taxes imposed are due, and the place of payment; granting to the State Highway Commission power to issue temporary use permits; providing the method of making returns; fixing liability for taxes upon the carrier and owner; providing certain exceptions in the case of special kinds of trailing units, for persons entitled to reciprocity, for operators of certain interstate fleets; providing for trip permit; giving the State Highway Commission power to deter-	

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	mine the tax due; providing for hearings in the commission; providing an exclusive method for the judicial review of decisions of the commission; providing procedures for the collection of taxes due and vesting power in the commission to issue certificates which when filed have the status of judgments of the District Courts; providing for liens on motor vehicles for unpaid taxes and providing the method of foreclosure of such liens and the priority thereof; providing for the revocation of registrations of motor vehicles for nonpayment of taxes; providing the method of serving notices and process and for the appointment of the secretary of state as an agent upon whom notice or process may be served; providing for interest and penalties, both civil and criminal, for violations of the act and rules enacted pursuant thereto; giving justice and District Courts concurrent jurisdiction of misdemeanors committed under the act; providing that violations of the act are in part committed in Helena; providing for the prosecution of violations by the attorney general and the county attorneys; providing for refunds; giving the State Highway Commission powers to administer and enforce the act, require security for the payment of taxes due, or to be due, to make rules for its own procedures, to designate ports of entry, to appoint deputies, to generally make rules for the enforcement and administration of the act; providing for the disposition of revenues received under the act; providing for severability; regulating the transfer of use permits; limiting municipal taxation of motor vehicles; providing a short title; repealing certain acts and parts of acts and saving the penalties under repealed acts; providing for an effective date."	148, 359, S-359, 368, 474, 511, 513, 515, 516, 662, 665, 668, 750, Veto- 752.
Sub. 228	Introduced by the Committee on Highways and Highway Transportation: A bill for an act entitled: "An act imposing taxes in consideration of the use of the public highways of Montana by motor vehicles; defining the terms person, motor vehicle, commission, farm vehicle and logging vehicle; making it unlawful to use the public highways of the state without first securing a use permit; providing rate schedules; providing for special mobile equipment; providing the method for obtaining a use permit; providing the dates upon which the taxes imposed are due, and the place of payment; granting to the State Highway Commission power to issue temporary use permits; providing the method of making returns; fixing liability for taxes upon the carrier and owner; providing certain exceptions in the case of special kinds of trailing units, for persons en-	

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	<p>titled to reciprocity, for operators of certain interstate fleets; providing for trip permit; giving the State Highway Commission power to determine the tax due; providing for hearings in the commission; providing an exclusive method for the judicial review of decisions of the commission; providing procedures for the collection of taxes due and vesting power in the commission to issue certificates which when filed have the status of judgments of the district courts; providing for liens on motor vehicles for unpaid taxes and providing the method of foreclosure of such liens and the priority thereof; providing for the revocation of registrations of motor vehicles for non-payment of taxes; providing the method of serving notices and process and for the appointment of the secretary of state as an agent upon whom notice or process may be served; providing for interest and penalties, both civil and criminal, for violations of the act and rules enacted pursuant thereto; giving justice and district courts concurrent jurisdiction of misdemeanors committed under the act; providing that violations of the act are in part committed in Helena; providing for the prosecution of violations by the attorney general and the county attorneys; providing for refunds; giving the State Highway Commission powers to administer and enforce the act, require security for the payment of taxes due or to be due, to make rules for its own procedures, to designate ports of entry, to appoint deputies, to generally make rules for the enforcement and administration of the act; providing for the disposition of revenues received under the act; providing for severability; regulating the transfer of use permits; limiting municipal taxation of motor vehicles; providing a short title; repealing certain acts and parts of acts and saving the penalties under repealed acts; providing for an effective date."</p>	<p>359, 368, 474, 511, 513, 515, 516, 662, 665, 668, 750, Veto-752.</p>
229	<p>Introduced by Sales, DeWolfe, Clowes, Morrison, Langston, Jensen, Picard, Lees, Wood, Abel, Bar-danouve, Curry, Elting, Shea, Angstman, Broeder, Felt, Cavan: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to section two (2) of article nine (IX) of the Constitution of Montana, relating to the qualifications of electors."</p>	149, 259.
230	<p>Introduced by Anderson, Felt, Gerard, Cavan, Angstman: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to article VIII of the Constitution of the State of Montana relating to the</p>	

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	selection of justices of the Supreme Court of the State of Montana and providing for the repeal of sections 6, 7 and 8 of article VIII of the Constitution of the State of Montana and the enactment of a new section 6 of article VIII of said constitution; providing the tenure of judges serving on the Supreme Court at the time of the approval of this amendment and those judges elected in the general election of 1960; specifying when vacancies occur on the Supreme Court; providing that vacancies on the court be filled by appointment by the Governor from a list of persons selected by a judicial commission; creating a judicial commission and specifying the composition thereof and the qualifications of the members thereof; providing the terms of office of Supreme Court judges appointed by the Governor hereunder; providing the method of election of Supreme Court judges after the expiration of the terms for which they are appointed or elected following appointment; prohibiting Supreme Court judges from running for public office or engaging in political campaigns; specifying the eligibility of persons for appointment to the Supreme Court; providing that the Legislature may provide by law for the compulsory retirement of judges of the Supreme Court; amending section 34 of article VIII of said constitution by striking therefrom the words 'justice of the Supreme Court'; amending section 35 of article VIII of said constitution to permit district judges to serve on the judicial commission; repealing all laws and parts of laws in conflict and providing an effective date."	157, 354.
231	Introduced by Cavan, Regan, Jardine: A bill for an act entitled: "An act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen, and to make uniform the law with reference thereto."	157, 280, 326, 342, 359, 377, 398, 416, 422, 654, 794, 795, 810.
232	Introduced by Cavan, Battin, Glead: A bill for an act entitled: "An act to repeal sections 61-127 to 61-137, both inclusive of the Revised Codes of Montana, 1947, relating to the adoption of children; to amend section 61-205 of the Revised Codes of Montana, 1947, enacted as section 5, chapter 240 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, to provide that consent to adoption need not be required from a father or mother divorced and who has not contributed to the support of the child for a period of one year; to amend section 61-210 of the Revised Codes of Montana, 1947, enacted as section 10, chapter 240 of the Session Laws of the Thirty-fifth Legislative	

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	Assembly of the State of Montana of 1957, relating to summary decree of adoption, to provide that the report specified in the previous section remains discretionary; to amend section 61-211 of the Revised Codes of Montana, 1947, enacted as section 11, chapter 240 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to interlocutory and final decrees of adoption, to provide that proper notices be given of the hearing before an interlocutory or summary decree of adoption may be issued; to amend section 61-140 of the Revised Codes of Montana, 1947, relating to procedure for adopting an adult, to provide for proper procedure for adoption of an adult; and repealing all acts or parts of acts in conflict herewith."	157, 254, 298, 335, 336, 340, 710, 741, SA-786, 794, 795, 810.
233	Introduced by Felt, Sheehy: A bill for an act entitled "An act to amend section 91-2406 of the Revised Codes of Montana, 1947, as amended by chapter 14 of 1951 Montana Session Laws, relating to estates not exceeding fifteen hundred dollars to provide that such estates shall be distributed to the widow or to the minor children, and relating to estates not exceeding three thousand dollars and providing for the summary distribution thereof to the widow or to the minor children without the requirement of giving notice to creditors and further providing for transferring possession of property of testate or intestate to the sole beneficiary or beneficiaries upon their presentment of an affidavit of right."	157, 410, 458, 473, 488, 497, 503, 508, 666.
234	Introduced by Battin, Babcock, Gerard, Cavan: A bill for an act entitled: "An act to amend section 14-213 of the Revised Codes of Montana of 1947 relating to the disposal of earnings, dividends, reserve fund and educational fund by directors of a co-operative association; providing that the directors of a co-operative association shall, out of net earnings, pay dividends on the paid up capital stock not exceeding six per cent (6%) per annum on the par value thereof; providing that the remaining funds, if any, shall be distributed among patrons in direct proportion to their purchases; repealing section 14-214 of the Revised Codes of Montana of 1947; providing that directors of all co-operative corporations and associations shall meet at least once a year to determine if they have surplus earnings and providing for the distribution of such earnings; repealing all acts and parts of acts in conflict herewith and providing an effective date."	158, 310.
235	Introduced by Jardine, Wood, Bardanouve: A bill	

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	for an act entitled: "An act to amend sections 38-809 and 38-812, Revised Codes of Montana, 1947, and to add to the Revised Codes of Montana a section to be numbered 38-809.1, to provide for an increase in the amount payable by persons committed to the Montana State Training School or by the parents or relatives legally liable for the support of such persons; to provide for the making of orders by boards of county commissioners and District Courts for payment of such amounts; to provide a method of changing such orders, and for the collection of such payments; to provide for a review of amounts payable under existing orders of commitment; and providing for an effective date."	158, 249, 266, 277, 278, 282, 620, 622, SA-626, 647, 648, 664, 707.
236	Introduced by Parker, Barrett, Leuthold, Page (Granite), Wright, Holtz, Nees, Raundal, Aasheim, McGaffick, Kvaalen, Shelden (Lincoln), Casey, Cavan: A bill for an act entitled: "An act to amend sections 75-1723 and 75-4516.1, Revised Codes of Montana, 1947, relating to the payment of the employer's contribution under the social security act and providing that the contribution for school districts be paid from the five (5) mill district levy or from an additional district levy if the five (5) mill levy is not sufficient to support the elementary budget including the contribution and providing that the contributions by high schools be paid from the county ten (10) mill levy or from an additional county levy if the ten (10) mill levy is not sufficient to support the total of the approved budget of all high schools including the contributions and repealing all acts and parts of acts in conflict herewith."	158, 336, 378, 398, 416, 422, 428, 701.
237	Introduced by Sheehy, Cavan, Battin: A bill for an act entitled: "An act permitting actions on tort claims, against the State of Montana; describing the practice and procedure therefor; providing that where insurance is applicable, settlement compromise or judgment shall be subject to such insuring provisions; containing a repealing clause and providing for an effective date."	158, 254, 273, 297, 320, 323, 710, 740, SA-768, 815, 816, 818, 827.
238	Introduced by Fladager, Woodring, Kvaalen: A bill for an act entitled: "An act to provide for the sale of state-owned agricultural land, when the lessee makes request to the State Board of Land Commissioners, to provide for a minimum purchase price for tillable irrigated lands, to provide for a minimum purchase price for non-irrigated con-	

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	tinuously cropped farm land, to provide for a minimum purchase price for wild hay land, to provide for a minimum purchase price for non-irrigated farm lands, to provide for a separate purchase price schedule for non-irrigated farm lands exceeding an average yearly yield of ten (10) bushels of wheat per acre, to prescribe certain procedures for determination of average yearly yields, to provide for a declaration of policy and to repeal all acts or parts of acts in conflict herewith."	158, 379.
239	Introduced by Gunderson, Kvaalen: A bill for an act entitled: "An act to amend section 3-103, Revised Codes of Montana, 1947, as amended by chapter 110, laws of 1953, relating to the bond and salary of the Commissioner of Agriculture by increasing the salary of the commissioner; containing a repealing clause."	159, 280, 427.
240	Introduced by Rindy, Broeder (by request): A bill for an act entitled: "An act to amend sections 53-110 and 53-112, Revised Codes of Montana, 1947, and section 53-122, Revised Codes of Montana, 1947, as amended; providing for the collection of an additional fee of \$1.00 upon and for filing any lien or lien instrument against any motor vehicle; providing for the payment of an additional fee of \$1.00 for issuance of an original certificate of ownership of title to a motor vehicle; providing for the payment of an additional fee of \$1.00 upon a transfer of registration by the owner of a motor vehicle; providing that said additional fees shall be paid over by the registrar of motor vehicles directly to the state highway fund; providing for increases in the registration or license fees to be paid upon registration or re-registration of motor vehicles, trailers, house trailers, semitrailers and dealers in motor vehicles or trailers, providing that such increases shall be effective July 1, 1959; providing that sixteen and two-thirds per cent (16 $\frac{2}{3}$ %) of all license or registration fees collected shall be segregated and paid over by the various county treasurers directly to the state highway fund; providing for an effective date of this act and repealing all acts and parts of acts in conflict herewith."	159, 490.
241	Introduced by Wayrynen, Healy, Picard, Jensen: A bill for an act entitled: "An act to amend section 26-301 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 193 of the Montana Session Laws of 1955, relating to restrictions of manner of taking and possessing fish and game and powers of commission relating thereto, to provide for the allowance of fishing with salmon eggs by deleting the restriction against it; con-	

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	<p>aining a repealing clause and providing an effective date."</p>	<p>159, 280, 341, 359, 377, 393, 416, 422, 571.</p>
242	<p>Introduced by MacDonald: A bill for an act entitled: "An act to provide for the support of the government of Montana for the years 1959 and 1960; providing a severability clause and an effective date."</p>	<p>159, 336, 365, 377, 383, 387, 710, 740, SA-769, 815, 816, 818, 827.</p>
243	<p>Introduced by Gunderson, Babcock, Morrison: A bill for an act entitled: "An act providing for a license for physical therapist, defining physical therapy and other terms; providing for qualifications and examinations; providing for annual renewal of licenses and temporary licenses; providing a short title; directing that invalidity of part of this act shall not affect or impair the remainder; providing for reciprocity between Montana and other states or territories; containing a repealing clause, and penalties for the violation of this act."</p>	<p>159, 269, 290, 312, 326, 332, 620.</p>
244	<p>Introduced by Gilfeather, Gunderson, Bradford: A bill for an act entitled: "An act to amend section 41-1301 of the Revised Codes of Montana of 1947, relating to semi-monthly payment of wages by employers of labor, by removing the exclusion of the State of Montana or any legal subdivision thereof from the definition of 'employer' and by providing the term 'employer' shall include the State of Montana, political subdivisions and instrumentalities thereof, and cities and towns; and repealing all acts and parts of acts in conflict herewith."</p>	<p>159, 279, 424, 455, 461, 478, 631.</p>
245	<p>Introduced by Tonner, Bardanouve: A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to the Constitution of the State of Montana by adding section 46 to article V thereof and by amending section 45 of article VI and amending sections 14, 15 and 16 of article VII, relating to succession to the office of legislator and governor, respectively, to provide that the legislature is authorized to enact laws for the preservation of government in the event of war or enemy-caused disaster, and providing for succession to the offices of legislator and governor."</p>	<p>160, 280.</p>
246	<p>Introduced by Moudree, Eskildsen, Walton, Casey: A bill for an act entitled: "An act to amend section 56-104, Revised Codes of Montana, 1947, re-</p>	

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	lating to the duties of a notary public, by adding thereto the duty of keeping a record of instruments acknowledged or proved; prescribing a fee for certified copies of such records; containing a repealing clause; providing an effective date.".....	160, 227.
247	Introduced by Committee on Highways and Highway Transportation (by request): A bill for an act entitled: "An act to amend section 25.1, chapter 263, laws of 1955, as amended by section 1, chapter 169, laws of 1957, relating to the use of authorized emergency vehicles on state highways; providing that the state highway patrol board shall have authority to regulate the use, operation and conduct of authorized emergency vehicles upon controlled access highways or controlled access facilities; providing a violation thereof shall be a misdemeanor; repealing all acts or parts of acts in conflict herewith.".....	160, 373, 398, 423, 437, 450.
248	Introduced by Committee on Highways and Highway Transportation (by request): A bill for an act entitled: "An act to amend section 30, chapter 263, laws of 1955, relating to the adoption of a sign manual by the state highway commission; providing the state highway commission shall adopt for use on interstate highway, an interstate sign manual."	160, 373, 398, 423, 437, 450, 653, 740, SA-764, 815, 816, 818, 827.
249	Introduced by Committee on Highways and Highway Transportation (by request): A bill for an act entitled: "An act to amend section 31, chapter 263, laws of 1955, providing the highway commission to sign all state highway; providing that the commission only shall sign controlled access highways or controlled access facilities; providing that the commission shall adopt and publish rules and regulations regarding the erection, placement and maintenance of signs for traffic control devices; providing that every unauthorized sign of traffic control device encroaching into the right-of-way of a state highway is a public nuisance; providing removal of an encroaching sign; providing a penalty; repealing all acts or parts of acts in conflict herewith.".....	160, 374, 398, 423, 437, 451, 653, 740, SA-764, 809, 810, 835.
250	Introduced by Committee on Highways and Highway Transportation (by request): A bill for an act entitled: "An act relating to the jurisdiction over controlled access highways and controlled access facilities; providing that the state highway commission shall have exclusive jurisdiction over all	

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	controlled access highways and controlled access facilities except as otherwise specifically provided in the codes of Montana; and providing that the state highway patrol board shall have exclusive jurisdiction to determine a speed upon such controlled access highways and controlled access facilities except as otherwise specifically provided in the laws of Montana; providing exclusive jurisdiction to police the controlled access highways and controlled access facilities; providing for constitutionality; repealing all acts or parts of acts in conflict herewith.".....	160, 374, 424, 455, 461, 479.
251	Introduced by Leuthold, Hanks, Reeder, Nees, Sales, Higham, Aasheim: A bill for an act entitled: "An act to promote, establish and organize upon a permanent basis in the State of Montana scientific and intensive research in the production, marketing and utilization of wheat grown in Montana; to create in the department of agriculture of the State of Montana a division of wheat and marketing research; to define terms used in this act; to declare the public policy of the State of Montana in the field of such research and marketing; designating the powers and duties of such division in the said department and of said department in connection therewith; to create an administrative committee to be known as the Montana Wheat Research and Marketing Committee, and to prescribe its powers and duties; to provide for the making of certain reports by such agencies; levying an excise tax of two and one-half (2½) mills per bushel of wheat on the grower thereof to provide for the expense of such research and the administration and enforcement of this act, and for the placement of the proceeds of said levy in a revolving fund to be known as the wheat and marketing research revolving fund in the custody of the state treasurer of Montana; to provide for refunds from such fund upon prescribed conditions and proper application therefor; to provide for transfers from such revolving fund to the general fund of the State of Montana; to prescribe the duties of the state board of examiners with respect to claims against such fund and of the state auditor and state treasurer with relation to such funds; to make certain acts and practices unlawful and to provide penalties therefor; to repeal all acts and parts of acts in conflict with this act, and providing that this act shall be in full force and effect from and after its passage and approval.".....	161, 265, 266, 354, 393, 394, 407, 619.
252	Introduced by Gerard, Sheehy (by request): A bill for an act entitled: "An act to amend section 89-802 of the Revised Codes of Montana, 1947, to provide that ten consecutive years of non-use is	

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	prima facie evidence of intent to abandon all or a part of a water right.".....	161, 344.
253	Introduced by Gerard, Sheehy (by request): A bill for an act entitled: "An act to amend sections 89-810, 89-811, 89-812, 89-813, and 89-814 of the Revised Codes of Montana, 1947, and to add a new section to title 89 of the Revised Codes of Montana to be known as section 811.1, to provide an exclusive method for acquiring a water right, to require the filing of claims to water and information concerning the development of such claims, to provide for the filing of past acquired rights to water, and to provide for the effect of compliance or failure to comply with the provisions of this act.".....	161, 345.
254	Introduced by Broeder, McGarvey, Shelden (Lincoln): A bill for an act entitled: "An act to amend section 32-103 of the Revised Codes of Montana, 1947, defining public highways, to provide for certain changes in the definition; to amend section 32-2114 of the Revised Codes of Montana, 1947, enacted as section 14, chapter 263 of the Montana Session Laws of 1955, defining street or highway, to provide changes in definition; to amend section 84-1831 of the Revised Codes of Montana, 1947, enacted as section 2, chapter 162 of the Montana Session Laws of 1955, relating to definitions for the purpose of special fuel tax; to establish the policy of the State of Montana in the regulation, licensing and taxation of fuel used in motor vehicles operated in the state; to promote economy and safety of public administration and travel by encouraging off-highway operation of motor vehicles; and containing a repealing clause.".....	161, 345, 424, 455, 461, 479, 740, SA-762, 815, 816, 818, 827.
255	Introduced by McGarvey, Parker, Nees, Shelden (Lincoln), Howard, Leuthold, Barnard, Holtz, Nichols, Page (Granite), Aasheim, Casey, Kvaalen: A bill for an act entitled: "An act to amend section 75-3612 of the Revised Codes of Montana, 1947, as amended by chapter 241, laws of 1955 and chapter 251, laws of 1957, providing for the equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools; providing schedules for determining support of foundation financial program for public elementary and secondary schools, and for other purposes.".....	162, 429, 498, 511, 515, 518, 710, 741, 742, 783, 795, 822, 823, 827.
256	Introduced by Barrett: A bill for an act entitled:	

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	"An act to amend section 75-1311, Revised Codes of Montana, 1947, relating to the responsibility of the superintendent of public instruction and the state board of education for the course of study for all public elementary and high schools; providing for evaluation and revision of the course of study; providing for the appointment of a director of curriculum and assistants; and repealing all acts and parts of acts in conflict herewith.".....	162, 411.
257	Introduced by Powers, McNally, Mernin, Wood: A bill for an act entitled: "An act to amend section 70-106, Revised Codes of Montana, 1947, relating to the investigation and ascertainment of the valuation of property of public utilities used and useful for the convenience of the public and relating to hearings and investigations in connection with public utilities, and providing for the payment of expenses of hearings and investigations and valuations and/or revaluations, and methods of assessing and collecting the same, and creating a 'public utility fund,' a revolving fund; and repealing all acts and parts of acts in conflict herewith.".....	162, 400.
258	Introduced by Powers, Healy, Picard, Mernin, Glancy: A bill for an act entitled: "An act to amend section 41-1107, Revised Codes of Montana, 1947, relating to the period of employment per day in underground mines, workings and tunnels; providing that eight hours work per day shall be computed from the time of leaving the surface or entry of the mine, working, or tunnel until the return to the surface or entry; providing for a repealing clause and an effective date.".....	162.
259	Introduced by Jardine, McGarvey: A bill for an act entitled: "An act to amend sections 93-315 and 93-316 of the Revised Codes of Montana, 1947, relating to terms of court, court adjournments, and repealing all acts and parts of acts in conflict herewith.".....	162, 270, 278, 297, 302, 305, 753, 758, 759, 783, 803.
260	Introduced by Devier, Kvaalen, Haines (Prairie): A bill for an act entitled: "An act relating to the creation of a board of control to operate, manage, supervise and maintain the operations of one or more irrigation districts; providing for membership, terms of office, bond, and compensation; providing for, and deposit of funds, records and inspection; providing for withdrawal of districts, allowing for the hiring of a manager or managers; purpose of this act; and providing for an effective date.".....	162, 417, S-417, 419, 498, 515, 521, 524, 662, 711, 712, 733.

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Sub. 260	Introduced by Committee on Irrigation and Water Conservation: A bill for an act entitled: "An act relating to the creation of a board of control to operate, manage, supervise and maintain the operations of one or more irrigation districts; providing for membership, terms of office, bond, and compensation; providing for, and deposit of funds, records and inspection; providing for withdrawal of districts, allowing for the hiring of a manager or managers; purpose of this act; and providing for an effective date."	417, 419, 498, 515, 521, 524, 662, 711, 712, 733.
261	Introduced by McGarvey: A bill for an act entitled: "An act to provide for the prohibition of false or fraudulent advertising by operators of motels, hotels and like establishments; to compel operators to post minimum and maximum rates and to make available accommodations as advertised; to provide for a penalty for violation of this act and to repeal all acts and parts of acts in conflict herewith."	162, 410.
262	Introduced by Committee on State Boards and Institutions (by request): A bill for an act entitled: "An act to amend section 4-107, Revised Codes of Montana, 1947, relating to the general powers and duties of the Montana liquor control board to provide that all employees of such board, excepting state liquor administrator and assistant state liquor administrator, be processed under the joint merit system regarding all personnel matters."..	163, 360.
263	Introduced by Glancy, McNally, Picard, McGarvey, Powers: A bill for an act entitled: "An act to amend section 11-1912, Revised Codes of Montana, 1947, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same, and providing a maximum levy for such provisions by cities in the third class."	163, 308, S-308, 311, 352, 359, 371, 576, 593. SA-594, 638, 643, 731.
Sub. 263	Introduced by the Committee on Affairs of Cities: A bill for an act entitled: "An act to amend section 11-1912, Revised Codes of Montana, 1947, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same, and providing a maximum levy for such provisions by cities in the third class, containing a repealing clause and providing an effective date."	308, 311, 352, 359, 371, 576, 593, SA- 594, 638, 643, 731.
264	Introduced by Wood, Holtz: A bill for an act entitled: "An act making it unlawful for any per-	

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	son, firm, corporation or association to sell, dispense, rent or distribute any goods, wares, merchandise or other personal property on Sunday; providing for exceptions; providing for severability of the provisions of this act; and repealing all acts and parts of acts in conflict herewith.".....	163, 285, 326, 348, 430, 431.
265	Introduced by Haines (Missoula): A bill for an act entitled: "An act to amend section 75-4222, Revised Codes of Montana, 1947, relating to the approval by the state board of health and the state superintendent of public instruction of all plans to erect or enlarge public junior or senior high school buildings; and providing for the appointment of a director of school building services and repealing all acts and parts of acts in conflict herewith."	163, 292.
266	Introduced by Haines (Prairie), Nichols, Bentz: A bill for an act entitled: "An act to amend section 129, chapter 263, Laws of Montana, 1955, relating to audible and visual signals on vehicles; by substituting the word 'red' in place of the word 'amber' with reference to the color of alternating flashing lights on front of school busses; by repealing all acts or parts of acts in conflict herewith and by providing for effective date of act."	163, 254, 273, 297, 302, 306, 576, 578, 579, 591, 619.
267	Introduced by Curry, Morrison, Regan: A bill for an act entitled: "An act to amend section 66-1301, Revised Codes of Montana, 1947, replacement volume 4, by providing a new definition of the practice of optometry and to amend section 66-1302, Revised Codes of Montana, 1947, replacement volume 4, relating to provisions regulating the practice of optometry by amending paragraph 9 of said section relating to the work of optical mechanics; by amending paragraphs 10 and 11 relating to terminology and by adding thereto a new paragraph 12 to said section relating to the fitting of contact lenses and to amend section 66-1305, Revised Codes of Montana, 1947, replacement volume 4, relating to examinations by the board of examiners in optometry, providing that said board may accept the grades of an applicant received in written examinations by the national board of examiners in optometry and relating to a change in terminology concerning accreditation; and to amend section 66-1307, Revised Codes of Montana, 1947, replacement volume 4, relating to registration fees by increasing said fee from ten dollars to twenty dollars per year, and to amend section 66-1311, Revised Codes of Montana, replacement volume 4, relating to compensation of examiners by increasing said compensation from fifteen dollars to twenty-five dollars per day; and	

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	to amend section 66-1316, Revised Codes of Montana, 1947, replacement volume 4, by extending the exemption to said act to certain commissioned officers of the armed forces, and to amend chapter 13 of title 66 of the Revised Codes of Montana, 1947, replacement volume 4, by adding thereto a new section to be known as section 66-1317 prohibiting discrimination by public agencies; providing for a savings clause, and repealing all laws in conflict herewith.".....	163, 400, 461, 501, 507, 515, 662, 728, 733.
268	Introduced by Gleed: A bill for an act entitled: "An act to appropriate money for the purpose of refunding inheritance taxes erroneously paid to the State of Montana on the death of Thomas E. Luebben, late of Dillon, Montana.".....	164, 337, 361, 377, 383, 387, 565, 568, 569, 578, 619.
269	Introduced by Gleed, McGaffick: A bill for an act entitled: "An act to amend section 53-615, replacement volume number three (3) of the Revised Codes of Montana of 1947, as amended by section 1 of chapter 258 of the laws of 1955, relating to fees on trucks, trailers, semi-trailers, house trailers and busses operating over and upon the highways of the State of Montana, by providing for an increase in gross vehicle weight fees; providing three gross vehicle weight fee schedules to be designated as schedules 'A,' 'B,' and 'C'; providing for payment of gross vehicle weight fees on power units, and combinations of power units and trailers, and semi-trailers; providing for payment of separate gross vehicle weight fees on extra trailers and semi-trailers; providing for payment of a fee upon motor vehicles converted to living quarters; providing the gross weight fee for combinations of twenty-four thousand (24,000) pounds or less shall be paid when annual registration fees are paid; providing that the gross weight fee on combinations in excess of twenty-four thousand (24,000) pounds may be paid in quarterly installments only if such total fee exceeds one hundred dollars (\$100.00); providing for an increase from one dollar (\$1.00) to two dollars (\$2.00) of the additional fee for quarterly payments; repealing section 1 of chapter 251 of the laws of 1955, relating to the payment of gross vehicle weight taxes on power units of three unit combinations of vehicles; providing this act shall be effective from and after January 1, 1960; and repealing all acts and parts of acts in conflict herewith.".....	164, 419, 509, 511, 514.
270	Introduced by Lees (by request): A bill for an act entitled: "An act to amend section 31-143 of the Revised Codes of Montana, 1947, relating to sus-	

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	pending privileges of non-residents, to provide for non-operation of a motor vehicle with a driver's license from another state while under suspension or revocation in this state; providing a penalty; containing a repealing clause and providing an effective date."	164, 228, 252, 271, 273, 276, 558.
271	Introduced by Elting: A bill for an act entitled: "An act to amend section 93-1602 of the Revised Codes of Montana, 1947, relating to how jurors in justice and police courts are summoned; providing for names of such jurors to be drawn from district jury box number 3; containing a repealing clause and providing an effective date."	169, 227.
272	Introduced by Holding: A bill for an act entitled: "An act to amend section 41-703 of the Revised Codes of Montana, 1947, pertaining to penalties, to provide that penalty for violation of act should be \$500.00 or 5% of the contract price, whichever is the greater."	170, 374, 398, 423, 437, 451, 631.
273	Introduced by Sheldon (Flathead), Elting, Battin, Page (Granite): A bill for an act entitled: "An act relating to the creation of a sanitarians registration council, appointed by the Montana State Board of Health; providing definitions of terms; manner of registration of sanitarians by examination and without examination under certain circumstances; establishing fees; providing the manner and grounds for revocation of certificates by the board of registered sanitarians; providing penalties for practicing as a registered sanitarian without a certificate; prescribing minimum and maximum penalties for violations of this act and conferring jurisdiction over all prosecutions hereunder upon the District Court; empowering the sanitarians registration council to issue certificates of registration to sanitarians registered by another state; providing the manner of review of decisions of the council and manner of service of legal papers upon the council; directing that unconstitutionality of a part of this act shall not affect or impair the remainder; and repealing all acts or parts of acts in conflict herewith."	170, 292, 352, 359, 370, 753, 758, 759, 783.
274	Introduced by Highways and Highway Transportation Committee: A bill for an act entitled: "An act to amend and revise the motor carrier act of the State of Montana, being chapter 1 of title 8, Revised Codes of Montana, 1947, bringing within the terms of the act certain previously exempted motor carriers, defining private carriers and requiring registration of their vehicles, re-defining the several classes of motor carriers, providing	

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	revised procedures on obtaining certificates of public convenience and necessity, and altering, amending, revoking and transferring such certificates, providing for the regulation of interstate or itinerant motor carriers by registration of same and issuance of registration plates, providing revised schedules of fees and assessments under the act, defining exempt carriers, revising provisions for review of orders of the board, providing additional powers for field agents of the board engaged in enforcement of the act, providing penalties for violations, providing "grandfather rights" for previously exempt carriers, revising provisions for issuance of temporary certificates of convenience and necessity, and amending sections 8-101, 8-102, 8-109, 8-110, 8-111, 8-112, 8-114, 8-115, 8-119, 8-121, 8-126 and 8-130, Revised Codes, 1947."	170, 490, 491.
275	Introduced by Daniels, Wayrynen, Glancy, Holding, Emmons, Gleed, Picard, Holtz, Powers, Abel, Elting: A bill for an act entitled: "An act to promote the safety of employees and travelers upon railroad carriers in Montana by requiring such carriers to maintain tracks, bridges, roadbed, and permanent structures for the support of way, trackage, and traffic in safe and suitable condition; requiring the Board of Railroad Commissioners of the State of Montana to administer this act and prescribing their powers and duties; providing review by the District Court of board action and appeals to the Supreme Court; prescribing penalties for the violation of this act or any rule, standard or instruction adopted or prescribed by the board; containing a repealing clause."	170, 270.
276	Introduced by Wood: A bill for an act entitled: "An act to provide that the Board of County Commissioners may levy a special tax not to exceed two (2) mills on the dollar of the taxable property of the county for the purpose of constructing, maintaining and repairing public ferries; and providing for a repealing clause."	170, 279, 424, 455, 460, 488, 489, 590, 617, 618, 623, 644.
277	Introduced by Barrett, Holtz: A bill for an act entitled: "An act to amend section 75-1303, Revised Codes of Montana, 1947, relating to the official staff of the Superintendent of Public Instruction; providing for the appointment of assistants; providing for the creation of a department of public instruction; and repealing all acts and parts of acts in conflict herewith."	171, 327, 361, 392, 394, 407, 621, 638, 643, 665.
278	Introduced by McGarvey, Sheldon (Flathead), Ton-	

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	ner): A bill for an act entitled: "An act to amend section 28, chapter 242, laws of 1957, relating to the time and manner of levying and collecting taxes for the payment of bonded indebtedness and other claims and expenses of county water districts; providing that such taxes shall be a lien upon the lot or parcel of property within the district to the extent of its assessment, and repealing all acts or parts of acts in conflict herewith."	171, 264, 278, 297, 302, 305, 565, SA-573, 578, 579, 591, 644.
279	Introduced by Daniels: A bill for an act entitled: "An act providing for the registration, renewal, assignment and cancellation of trade-marks and service marks; to amend subsection 16 of section 25-102, Revised Codes of Montana, 1947, relating to the fees of the secretary of state for such registration or renewal; to amend section 94-35-229, Revised Codes of Montana, 1947, relating to the definition of "trade-mark" to include service marks, to repeal sections 85-101, 85-102, 85-103, 85-104, 85-105, 85-106, and 85-107, Revised Codes of Montana, relating to trade-marks."	171, 298.
280	Introduced by Daniels: A bill for an act entitled: "An act providing for the registration, renewal, assignment and cancellation of trade names, titles or designations."	171, 298.
281	Introduced by Felt (by request): A bill for an act entitled: "An act to amend section 31-114 of the Revised Codes of Montana, 1947, relating to fees, fines and forfeitures to provide for payment of fees, fines and forfeitures to the general county school fund and to the general state school fund instead of to the general fund of the State of Montana."	171, 227.
282	Introduced by Felt (by request): A bill for an act entitled: "An act to amend section 31-117 of the Revised Codes of Montana, 1947, as amended relating to the drivers' examination section of the highway patrol, to provide for drivers' instruction and examination for high school children and to authorize all highway patrolmen to conduct said training and examination."	171, 264, 382.
283	Introduced by Daniels, Jardine: A bill for an act entitled: "An act providing that in negligent actions any insurer of a motor vehicle who has an interest in the outcome may be made a party defendant within the terms and limits of the policy."	171, 270, 284, 287, 413, 414, 437, 451, 644.
284	Introduced by Reeder, Hanks, Sales, Haines (Mis-	

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	soula): A bill for an act entitled: "An act to provide that any person driving or operating an ambulance in the State of Montana, whether such ambulance is owned by himself or some other person, firm or corporation, shall have a current valid first aid certificate; providing for a penalty for violation thereof; and containing a repealing clause."	171, 384, 394.
285	Introduced by Emmons, Cerovski, Powers, Karlberg, Eskildsen: A bill for an act entitled: "An act to amend section 69-1508, Revised Codes of Montana, 1947, relating to license required to operate boilers by providing for the number of employees who must be in attendance at all times whenever high pressure boilers are operated; containing a repealing clause."	171, 293.
286	Introduced by Strnisha, Elting, Broeder, Gill, Barrett, Daniels, Abel, Gleed: A bill for an act entitled: "An act to amend section 66-2326 of the Revised Codes of Montana, 1947, as adopted by the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to professional engineers, defining the words 'professional engineering' as having six branches; specifying the type and qualifications of each of said branches; to amend section 66-2335 of the Revised Codes of Montana, 1947, as adopted by the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to professional engineers, to include the branch of engineering for which qualified; to amend section 66-2337 of the Revised Codes of Montana, 1947, as adopted by the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to professional engineers, providing for the branch of professional engineering for which qualified; to amend section 66-2339 of the Revised Codes of Montana, 1947, as adopted by the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to professional engineers, providing for the branch of professional engineering for which qualified; to amend section 66-2346 of the Revised Codes of Montana, 1947, as adopted by the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to professional engineers, to eliminate the practice of engineering in a field for which a person is not qualified; containing a repealing clause and providing for an effective date."	172, 293, 352, 356, 376, 404, 419, 474.
287	Introduced by Hanks, Reeder, Sales, Broeder, Strnisha: A bill for an act entitled: "An act to amend section 23-1213 of the Revised Codes of Montana, 1947, relating to voting by disabled electors, to provide that, in lieu of the judges aiding him, he may request that a qualified elector	

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	of his choice aid him; containing a repealing clause and an effective date.”.....	172, 300, 338, 359, 371, 554, 568, 569, 578, 619.
288	Introduced by Felt: A bill for an act entitled: “An act to amend section 84-4902 of the Revised Codes of Montana, 1947, as amended, relating to the rate of income taxation, to provide for a minimum income tax of five dollars (\$5.00) due to the State of Montana from anyone required under section 84-4914 of the Revised Codes of Montana, 1947, to file an income tax return.”.....	172, 400.
289	Introduced by Wood: A bill for an act entitled: “An act to amend chapter 2, title 9, of the Revised Codes of Montana, 1947, relating to the public cemetery district act, to provide for creation of indebtedness, submission to taxpayers, limitation on amount of indebtedness, terms of bonds, rates of interest, petition and election required, qualification of voters, issuance of bonds, applicability of other sections of the law; repealing acts and parts of acts in conflict herewith and providing for the effective date of this act.”.....	172, 279, 384, 397.
290	Introduced by Daniels: A bill for an act entitled: “An act to adopt the uniform facsimile signatures of public officials act; providing for the use of facsimile signatures and seals on public securities and instruments of payment issued by the state or any of its instrumentalities or political subdivisions; constituting a felony the use of such signatures or seals with intent to defraud; and amending the following sections of the Revised Codes of Montana, 1947, to delete provisions inconsistent with this act: sections 11-2231, respecting special improvement district bonds and warrants; section 11-2316, respecting municipal bonds; section 16-1620, respecting rural improvement district bonds and warrants; section 16-2033, respecting county bonds; section 75-3919, respecting school district bonds; section 75-3942, respecting school district funding bonds; section 79-1802, respecting state refunding bonds; section 89-1705, respecting irrigation district bonds; and section 89-2501, respecting drainage district bonds; containing a severability clause and a repealing clause and providing an effective date.”.....	172, 411, 498, 521, 526, 529, 661, 740, SA-761, 833, 834, 835.
291	Introduced by Daniels: A bill for an act entitled: “An act to adopt the uniform contribution among tortfeasors act as revised by the national conference of commissioners on uniform state laws in 1955; establishing a right of contribution among joint tortfeasors and providing for enforcement	

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	thereof; and providing for the effect of releases or covenants not to sue, containing a severability clause, a repealing clause and providing an effective date."	173, 411.
292	Introduced by Wood, Gilfeather, Reeder: A bill for an act entitled: "An act to make taxable under the Montana income tax law and the Montana corporation license tax law that portion of the income of nonresident individuals and corporations paid to them in the form of interest or dividends by persons, corporations, partnerships, firms, business trusts, associations and fiduciaries doing business or having income in Montana which is attributable to Montana sources; providing for withholding and payment to the State Board of Equalization of such tax; and providing for the manner of collection of such tax, the duties of withholding agents, the powers of the State Board of Equalization, and penalties for neglect or failure to comply with the provisions of this act."	173, 456, 509, 515, 521, 523.
293	Introduced by Curry, Regan, Morrison, Gleed: A bill for an act entitled: "An act to amend section 82-1002, Revised Codes of Montana, 1947, and section 82-1009, Revised Codes of Montana, 1947, to provide that it is the specific duty of the state examiner to annually audit the book and accounts of the various units of the University of Montana, providing that the state examiner shall report the result of the annual audit of the various units of the University of Montana to the Governor and the attorney general, providing that the state examiner shall report the audit of the various units of the University of Montana for each biennium to the regular sessions of the Legislative Assembly, providing that the various laws applicable to the examination of the books and accounts of state and county officers, shall apply to the annual audit of the books and accounts of the various units of the University of Montana, and repealing all acts and parts of acts in conflict with this act."	173, 411, S-411, 412, 458, 473, 488, 489, 500, 709, 740, SA-762, 815, 816, 818, 827.
	Sub. 293—See Index Page 250.	
294	Introduced by Fladager, Wood, Nelstead, Wright: A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to section 5 of article XI of the Constitution of the State of Montana to provide for a state land equalization figure to consist of twenty per cent (20%) of receipts from grazing and agricultural rentals of state-owned lands, to provide for payment of these receipts by the state to the counties to be pro-	

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	rated by the counties to school districts according to the percentage of state lands within the local school district."	173, 438, S-438, 460, 502, 520, 526, 528, 576.
	Sub. 294—See Index Page 250.	
295	Introduced by Fladager, Wood, Nelstead, Wright: A bill for an act entitled: "An act to provide for payment of money from the State of Montana interest and income fund to the elementary school districts, in proportion to the acreage of state land in each school district; to provide that the amount to be paid shall be twenty per cent (20%) of the total receipts of all grazing and agricultural income rentals received by the State of Montana within each county; to prescribe the duties of the Commissioner of State Lands and Investments, county treasurers, the Montana State Board of Examiners and the County Commissioners; to repeal all acts or parts of acts in conflict herewith, and to provide for an effective date."	173, 238, 279, 424, 444, 460, 491, 520.
296	Introduced by Gunderson, McGarvey, Elting, Reeder, Cavan: A bill for an act entitled: "An act to provide permanent service status for deputy sheriffs of Montana; creating a sheriff employees' commission in first, second and third class counties and for counties having a population in excess of 15,000 people; setting forth the commission's powers and duties; providing minimum standards for employment as deputy sheriff, and providing for removal, demotion or suspension of deputy sheriffs upon complaint made, public hearing held, and ruling issued by the commission; forbidding deputy sheriffs from engaging in political activities; providing a penalty for violation of the act; and providing a severability and repealing clause."	174, 380, 424, 455, 461, 479, 666.
297	Introduced by Felt: A bill for an act entitled: "An act to amend section 84-5408 of the Revised Codes of Montana of 1947 relating to the transmission of net proceeds to county assessor; and providing that valuation of mines for the purpose of taxation shall be an amount equal to the average net proceeds from such mine for the five calendar years next preceding or for as many years next preceding as the mine has had gross yield, whichever is less; providing for computation of average net proceeds; providing for determination of net proceeds for averaging to determine valuation; providing for no valuation for a year when there has been no gross yield; repealing all acts and parts of acts in conflict herewith and providing an effective date."	174, 400, S-400, 404, 437, 455, 462, 480, 753, 794, 795, 810.
	Sub. 297—See Index Page 250.	

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298	Introduced by Felt, Lees (by request): A bill for an act entitled: "An act to amend section 16-912, Revised Codes of Montana, 1947, as amended by chapter 237, laws of 1957, pertaining to the compensation of county commissioners by authorizing an adjustment of salary for incumbent county commissioners; containing a repealing clause."....	174, 308, 311, 345.
299	Introduced by Haines (Prairie), Nichols, Bentz: A bill for an act entitled: "An act to amend section 144, chapter 263, Laws of Montana, 1955, relating to mirrors on motor vehicles; by requiring all single vehicles and all vehicles towing other vehicles to be equipped with rear-view mirrors; by repealing all acts or parts of acts in conflict herewith and by providing for effective date of act."....	174, 264, 273, 297, 311, 326, 332, 620, 622, SA-626, 673, 674, 675, 730.
300	Introduced by Jardine, Schwinden, Sheehy: A bill for an act entitled: "An act to amend section 40-1302, Revised Codes of Montana, 1947, as amended by section 1, chapter 224, Laws of Montana, 1957, relating to license fees of insurance corporations, associations, and societies; providing for repeal of all acts and parts of acts in conflict herewith."....	174, 327, 361, 383, 386, 389, 590, 617, 618, 623, 631.
301	Introduced by Haines (Prairie), Bentz: A bill for an act entitled: "An act relating to a license tax for gasoline dealers; providing that such license tax shall be seven cents on each gallon of gasoline sold or distributed; providing for a deduction from such tax for evaporation; repealing section 1, chapter 230, Laws of Montana, 1957; providing that this act shall be in full force and effect from and after its passage and approval; and repealing all acts and parts of acts in conflict herewith."....	174, 366, 414, 461, 511, 513, 515, 516, 756, 757.
302	Introduced by Jardine, Daniels: A bill for an act entitled: "An act relating to actions for the partition or sale of personal property; providing where such actions may be brought; and providing for the procedure which shall be made applicable thereto, and providing for an effective date.".....	174, 254, 278, 297, 302, 303, 753, 758, 759, 783, 803.
303	Introduced by Gilfeather, Gunderson, Schwinden, Wood, Emmons, Holecek, Strnisha, Holtz, Parker, Hanks: A bill for an act entitled: "An act to amend section 84-1501, Revised Codes of Montana, 1947, relating to corporation license tax, organizations exempt from such tax and the rate of such tax; providing for an increase in the rate of tax	

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	on net income in excess of twenty-five thousand dollars (\$25,000); providing for taxability of all net income of domestic corporations and broadening the tax base of foreign corporations; providing an effective date for this act; and repealing all acts and parts of acts in conflict herewith.".....	174, 457, 469, 502, 511, 512, 515, 517, 709, 723, 724, 725, 753, 801, 802, 822, 823, 827.
304	Introduced by Gilfeather, Morrison, Leuthold: A bill for an act entitled: "An act to establish a permanent juvenile probation officers academy for the State of Montana, providing for an advisory board, establishing rights of officers attending the academy, providing that the expenditure of county, city, town and municipal funds for this purpose shall be a lawful expenditure; providing for an effective date and repealing all other acts and parts of acts in conflict herewith."	175, 270, 290, 313, 326, 333.
305	Introduced by Liquor Control Committee: A bill for an act entitled: "An act to prohibit any person, persons, partnership, firm, corporation or association engaged in any business enterprise, to allow any person or persons to bring upon premises devoted to such business enterprise and to consume thereon, any beer, liquor or other alcoholic beverages, unless licensed, and providing a penalty therefor; repealing all acts and parts of acts in conflict herewith; and providing for an effective date."	175, 285, 298, 335, 338, 474, S-474, 476, 509, 526, 532, 653, 663, 710, 741, SA-769, 815, 816, 818, 823, 827.
Sub. 305	Introduced by the Committee on Liquor Control: A bill for an act entitled: "An act to prohibit any person, persons, partnership, firm, corporation or association engaged in a business enterprise, to allow any person or persons to bring upon premises devoted to such business enterprise and to consume thereon, any beer, liquor or other alcoholic beverages, unless licensed, and providing a penalty therefor; defining a bottle club; repealing all acts and parts of acts in conflict herewith; and providing for an effective date."	474, 476, 509, 526, 532, 653, 663, 710, 741, SA-769, 815, 816, 818, 823, 827.
306	Introduced by Barrett, Hawks: A bill for an act entitled: "An act creating a commission to make a study of the organization of school districts in each county of the State of Montana; creating a	

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	commission on school district reorganization; providing for its appointment; prescribing the powers and duties of the commission; providing for the report of the commission; appropriating funds for the expense of the commission; and providing for an effective date."	175, 385, 642, 659, 719, 720, 821, 829.
307	Introduced by Gilfeather, Wood, Holtz, Strnisha, Schwinden: A bill for an act entitled: "An act to amend section 84-1502, Revised Codes of Montana, 1947, relating to deductions allowed in computing corporation license tax net income, to provide for a reduction in the deduction allowed for salaries, provide for a reduction in the depletion allowance authorized by said section, provide for deduction of certain taxes, providing a savings clause, providing an effective date and repealing all acts and parts of acts in conflict herewith."	175, 457, 469, 498, 511, 512, 515, 517, 709, 723, 725, 753, 801, 822, 823, 827.
308	Introduced by Battin, Leuthold: A bill for an act entitled: "An act to provide for the preparation of typewritten reports and summaries of said typewritten reports by the executive heads of budgeted agencies; to provide that said reports shall be delivered to the Governor who shall have the responsibility for their printing and dissemination; to prohibit budgeted agency executives from publishing other reports without the permission of the Governor and to provide for the repeal of all inconsistent acts or parts of acts in conflict herewith."	175, 465.
309	Introduced by Nichols, Gleed, Bardanouve, Howard: A bill for an act entitled: "An act to amend section 59-510 of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 22 of the Session Laws of the Thirty-second Legislative Assembly of the State of Montana, 1951, and section 1 of chapter 253 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana, 1957, relating to state office hours; providing that all persons employed in said offices shall work during office hours, with one hour off for lunch; repealing all acts or parts of acts in conflict herewith; and providing for an effective date."	175.
310	Introduced by Glancy, Healy, Holding, Gunderson, Shea, Picard: A bill for an act entitled: "An act to appropriate money from the general fund to design, engineer, construct, erect, furnish and operate additional wings to the home for senile men and women authorizing the Board of Examiners to employ architects to design said additional wings to said home, and authorizing the Board of	

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	Examiners to advertise and call for bids for the construction of said additional wings; authorizing the Board of Examiners to purchase out of any remaining moneys, furnishings for said additional wings and the employment of help to operate and maintain the same; providing for an effective date of act and repealing all acts and parts of acts in conflict herewith."	176, 457.
311	Introduced by Holtz: A bill for an act entitled: "An act to amend section 69-2802 of the Revised Codes of Montana, 1947, as amended by section 14, chapter 264, of the Montana Session Laws of 1955, relating to definitions of refrigerated lockers, to provide for definitions of 'frozen food processing plant'; to amend section 69-2803 of the Revised Codes of Montana, 1947, as amended by section 15, chapter 264, of the Montana Session Laws of 1955, relating to licenses for refrigerated locker plants, to provide for licensing 'frozen food processing plants'; to amend section 69-2804 of the Revised Codes of Montana, 1947, as amended by section 16, chapter 264, of the Montana Session Laws of 1955, relating to fees and terms of said licenses, to provide such for 'frozen food processing plants'; repealing section 69-2814 of the Revised Codes of Montana, 1947, and all other acts or parts of acts in conflict herewith."	176, 353.
312	Introduced by Babcock, Abel, Langston, Barrett: A bill for an act entitled: "An act to amend section 77-117, Revised Codes of Montana, 1947, replacement volume five, and repeal subsection twelve and subsection thirteen of section 77-120, Revised Codes of Montana, 1947, replacement volume five, which sections provide for the appointment of the adjutant-general of the state; define the duties of the adjutant-general; provide the annual salary of the adjutant-general; repeal all acts and parts of acts in conflict herewith; and provide an effective date."	176, 180, 225, 229, 400, S-400, 404, 437, 455, 461, 480, 614, SS-710, 712, 728, 741, 785, 815, 818, 819, 827.
	Sub. 312—See Index Page 250.	
313	Introduced by Elting: A bill for an act entitled: "An act relating to loans and interest and other charges and expenses on loans; to define 'consumer type loan business' and certain other terms; to regulate and license the business of making consumer type loans in the amount of one thousand dollars (\$1,000.00) or less; to create the office of consumer loan commissioner, and to provide for the appointment and compensation of a consumer loan commissioner and to prescribe the powers, duties, authority and jurisdiction of such commissioner; to authorize the adoption and prom-	

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	<p>uligation of rules and regulations; to make certain acts unlawful and to provide penalties and forfeitures for violations of this act; to exempt certain businesses from the provisions of this act; to prescribe certain license and other fees; to create a 'consumer loan administration fund' to be used to administer and enforce the provisions of this act; to provide for the issuance, refusal, suspension and revocation of licenses; to provide for the refund of certain precomputed charges where a loan is paid prior to maturity; to authorize and regulate the issuance of certain insurance in connection with consumer type loans in the amount of one thousand dollars (\$1,000.00) and less; to authorize investigations and examinations by the commissioner and to provide for examination fees; to require licensees to keep certain records and to make certain reports; to regulate wage assignments; to provide for appeals from any action or order of the commissioner; to provide for the making of certain installment loans of two thousand dollars (\$2,000.00) or less; amending section 47-125 of the Revised Codes of Montana of 1947, relating to legal rate of interest, by providing for an interest rate on installment loans of two thousand dollars (\$2,000.00) or less; and repealing section 47-126 of the Revised Codes of Montana of 1947 and all acts and parts of acts in conflict herewith.".....</p>	176, 401.
314	<p>Introduced by Abel, Wold, Eskildsen, Anderson: A bill for an act entitled: "An act to appropriate money for the construction of facilities necessary for the administration and training of the Montana National Guard."</p>	180, 360, 383, 412, 424, 445, 653, 670, 740, SA-763, 794, 795, 810.
315	<p>Introduced by Schwinden, Gunderson, Gilfeather: A bill for an act entitled: "An act to amend section 84-4902 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 228, of the Montana Session Laws of 1957, relating to rate of income tax; to provide for a change in rates; containing a repealing clause and providing for an effective date."</p>	180, 439, 469, 498, 511, 512, 515, 517, 709, 723, 725, 753, 802, 810, 819, 825, 826, 827, 828, 830, 833, 834, 835.
316	<p>Introduced by Emmons, Wood: A bill for an act entitled: "An act to amend section 84-5601, replacement volume 5, Revised Codes of Montana, 1947, as amended by chapter 18, laws of 1957, section 84-5602, section 84-5603, section 84-5609, section 84-5611, replacement volume 5, Revised</p>	

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	Codes of Montana, 1947, defining certain terms, providing for a distributors and dealers license, providing duration for such license, providing for use of tax stamping meters, providing penalties for violation of this act, repealing sections 84-5607 and 84-5610, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith and providing for an effective date.".....	181, 459.
317	Introduced by Battin, Morrison, Regan: A bill for an act entitled: "An act to amend section 11-403, Revised Codes of Montana, 1947, as amended by section 1, chapter 239, Montana Session Laws of 1957, relating to extension of boundaries to include contiguous platted tracts or other parcels of land by cities of the first class; to provide for the annexation of platted or unplatted tracts or parcels of land wholly surrounded by cities of the first class, and providing the procedure therefor; containing a repealing clause, and providing an effective date."	181, 327, 381, 412, 423, 454, 460, 489, 494, 709, 740, SA-766, 815, 817, 827.
318	Introduced by Holtz, Holecek, Strnisha: A bill for an act entitled: "An act to amend section 3-218 and 3-219, Revised Codes of Montana, 1947, relating to receiving grain by warehousemen, to prohibit issuance of warehouse receipts for grain stored or piled on the ground or not stored in a public warehouse and to prohibit making storage charges for grain stored or piled on the ground or not stored in a public warehouse, and providing penalties, and containing a repealing clause."	181, 235, 266, 277, 278, 283, 418.
319	Introduced by Page (Missoula), Angstman: A bill for an act entitled: "An act to amend section 59-703, Revised Codes of Montana, 1947, relating to the printing and publication of reports of state officers, boards, bureaus, commissions and departments, to change the duties and responsibilities herein from the State Board of Examiners to the Governor; and repealing all acts and parts of acts in conflict herewith."	181, 293, 301, 464.
320	Introduced by Daniels, Page (Granite), Holecek, Gunderson, Paulsen: A bill for an act entitled: "An act to amend section 68-1307, Revised Codes of Montana, 1947, relating to the allocation of money to the public employee's retirement fund, the disbursement procedure of money, and the manner in which contributions under this section are applied; by providing for an increase to four per cent (4%) of the amount of the compensation paid members of the retirement system as the employer share of contribution; by providing that invalidity of a part of this act shall not affect	

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	or impair the remainder; by repealing all acts and parts of acts in conflict herewith; and providing for an effective date.".....	181, 337, 378, 412, 424, 675.
321	Introduced by Wood: A bill for an act entitled: "An act to amend section 84-2004, Revised Codes of Montana, 1947, relating to the annual tax to be paid by persons engaged in or carrying on the business of working or operating any mine or mining property and providing that this annual license tax shall amount to two per cent (2%) of the gross value of the product, repealing all acts in conflict herewith and providing that it shall be effective from and after its passage and approval."	181, 459.
322	Introduced by Wood: "A bill to enact by initiative a law providing for the amendment of section 84.1801.1 of the Revised Codes of Montana, 1947, enacted as section 1, chapter 230 of the Montana Session Laws of 1957, relating to the gasoline license tax, to provide for increasing the tax an additional 1¢ per gallon; providing for the submission of this act to the qualified electors of the State of Montana at the next general election; providing when this act shall take effect; containing a repealing clause upon approval of this act by a majority of all votes cast at the referendum election herein provided; and providing an effective date.".....	181, 490.
323	Introduced by Gilfeather, Shelden: A bill for an act entitled: "An act amending section 87-148, Revised Codes of Montana, 1947, as last amended by chapter 171 of the Montana Laws, 1957, which section is a part of the unemployment compensation law relating to definitions, by redefining 'employing unit' to include this state or any political subdivision or any instrumentality thereof, or any cities, towns, school districts and irrigation districts or any other political subdivisions of this state organized and existing under and by virtue of the laws of this state, by redefining 'employer' to include this state or any political subdivision or any instrumentality thereof or any cities, towns, school districts and irrigation districts, or any other political subdivision of this state organized and existing under and by virtue of the laws of this state, by redefining 'employment' to include service for the state or any political subdivision or any instrumentality thereof, or any cities, towns, school districts, and irrigation districts or any instrumentality thereof, or any other political subdivision of this state, by redefining exclusions by deleting services performed in the employ of this state, or of any political subdivision thereof, or of any instrumentality of this state or its political subdivisions and by including therein any	

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	<p>elected public officials and persons appointed for a definite term by redefining the term 'state' by deleting the word 'Alaska'; providing manner of payment of contributions by the state or any political subdivision or instrumentality thereof or any cities, towns, school districts and irrigation districts or other political subdivisions of this state; repealing all acts or parts of acts in conflict herewith."</p>	<p>182, 385, 498, 515, 521, 653.</p>
324	<p>Introduced by Wold, Harball, McNally, Powers: A bill for an act entitled: "An act to authorize payroll deduction from public employees' salaries for payment of dues in public employees' organizations; and repealing all acts and parts of acts in conflict herewith."</p>	<p>182, 401, 437, 455, 461, 480, 631.</p>
325	<p>Introduced by Tonner, Harball, Sheldon: A bill for an act entitled: "An act to submit to the vote of the people a measure to amend chapter 230, Montana Session Laws of 1957, relating to a license tax for gasoline dealers; providing that such license tax shall be seven (7) cents on each gallon of gasoline sold or distributed and providing a deduction for evaporation; repealing conflicting acts; providing for effective date upon Governor's proclamation."</p>	<p>182, 466, 498, 511, 513, 515, 516.</p>
326	<p>Introduced by Wood, Tonner: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 30 of article V of the Constitution of the State of Montana, relating to the state furnishing and contracting for stationery, printing, paper, binding, distribution of laws, journals and department reports and other printing and binding, to provide for the deletion of the above mentioned items from said article and section so that the state may furnish said items by doing its own printing without necessarily having to contract for the above said items; repealing all laws and parts of laws in conflict herewith and providing an effective date."</p>	<p>182, 394.</p>
327	<p>Introduced by Sheehy, Felt, Wood, Sales, Schwinden: A bill for an act entitled: "An act to provide for retaliation against the insurers of any other state or foreign country on account of taxes, licenses and other fees, fines, penalties, deposit requirements or other material obligations which are or would be imposed upon Montana insurers, their agents or representatives, which are in excess of such taxes, licenses and other fees, fines, penalties, deposit requirements or other obligations imposed upon similar insurers or agents or representatives of such insurers of such other state or country under the statutes of this state; providing for the</p>	

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	inclusion of taxes, licenses or other fees imposed by any city, county or other political subdivision or agency of such other state or country to be within the purview of this act; providing for the exclusion from the operation of this act personal income taxes, ad valorem taxes on real or personal property, special purpose obligations or assessments imposed by another state in connection with particular kinds of insurance other than property insurance; defining domicile of an alien insurer for the purpose of this act, other than insurers formed under the laws of Canada; providing for an effective date for this act; and specifically repealing section 40-1428, Revised Codes of Montana, 1947."	182, 270, 284, 313, 320, 324, 576, 578, 579, 591, 632.
328	Introduced by Powers, Karlberg, Eskildsen, Devier, Gilfeather, Bradford: A bill for an act entitled: "An act providing that petitions for initiative and referendum circulated in the State of Montana shall be circulated only by legal voters of the State of Montana; that any person circulating any such petition shall certify thereto that he is a legal voter of the State of Montana and that he circulated the same; defining circulation; providing for repeal of all acts or parts of acts in conflict herewith; and providing violation of act shall be a misdemeanor."	183, 300, 338, 377, 383, 388.
329	Introduced by Gilfeather, Bradford, Morrison, Gunderson, Regan, Holtz: A bill for an act entitled: "An act to amend section 93-302, Revised Codes of Montana, 1947, as amended by section 1, chapter 91 of the laws of 1957, relating to the number of judges in each of the judicial districts; providing for three judges in the eighth judicial district; providing for the appointment of a third judge for said district; providing for elections thereafter; providing for the repeal of all laws in conflict herewith."	183, 374, 437, 455, 461, 481, 662, 711, 712, 733.
330	Introduced by Page (Missoula), Sheehy, Schwinden, Angstman, Loman, McGarvey: A bill for an act entitled: "An act to reduce the powers and duties of the State Board of Examiners over claims for an expenditure of the regular appropriations of the civil executive state offices and departments; to amend section 82-1904, Revised Codes of Montana, 1947, relating to the powers of the State Board of Examiners over purchases made by the State Purchasing Department to provide that the powers now exercised by the State Board of Examiners shall be exercised by the state controller; to amend sections 82-1109 and 82-1110, Revised	

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	Codes of Montana, 1947, relating to approval of claims by the State Board of Examiners to provide for such approval by the state controller; to amend section 79-104, Revised Codes of Montana, 1947, pertaining to numbering of claims by the State Board of Examiners to provide that such numbering shall be done by the state controller; to amend section 82-1105, Revised Codes of Montana, 1947, by deleting the requirement that claims must be entered in the minutes of the Board of Examiners; and to provide for recording of all claims by the state controller.".....	183, 427, 446, 502 520, 526, 530, 791, 813, 814, 822.
331	Introduced by Schwinden, Gunderson: A bill for an act entitled: "An act to amend section 84-4908, Revised Codes of Montana, 1947, relating to the alternative deduction allowed in computing net income under the Montana personal income tax act; to provide for the elimination of any credit for federal income tax paid in computing the ten per cent (10%) standard deduction allowable under said section."	183, 401.
332	Introduced by Schwinden, Gunderson: A bill for an act entitled: "An act to amend section 84-4906 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 260 of Montana Session Laws of 1955, relating to deductions allowed in computing net income for state income tax purposes; to provide that the federal income tax shall not be a deduction, containing a repealing clause."	183, 401.
333	Introduced by Emmons, Powers, McNally, Elting, Battin, Healy, Mernin, Picard, Glancy, Cavan: A bill for an act entitled: "An act to amend certain provisions of the Montana workmen's compensation law; amending section 92-701, 92-702, 92-703, 92-704, 92-705, 92-706, 92-709, and 92-807, Revised Codes of Montana, 1947, as last amended by chapter 234, Montana Session Laws of 1957; all relating to compensation for injuries by increasing compensation in cases of temporary total, permanent total, and partial disability, and for injuries causing death, and certain specific loss injuries; providing changes in the medical and hospitalization benefit section; correcting provisions of the burial and medical sections found to be unconstitutional; enlarging notice time in certain cases; and amending section 92-707, Revised Codes of Montana, 1947, as last amended by chapter seven, Montana Session Laws of 1949, reducing the waiting period; amending section 92-708, Revised Codes of Montana, 1947, as last amended by chapter 253, Montana Session Laws, 1955, removing restrictive language in consecutive payment of	

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	compensation; repealing conflicting acts; providing an effective date.".....	184, 424, S-424, 509, 520, 521, 525, 710, 719, 720, 723, SA-727, 815, 817, 827.
Sub. 333	Introduced by Committee on Workmen's Compensation: A bill for an act entitled: "An act to amend certain provisions of the Montana Workmen's Compensation Law; amending sections 92-701, 92-702, 92-703, 92-704 and 92-709, Revised Codes of Montana, 1947; as last amended by chapter 234, Montana Session Laws of 1957; all relating to compensation for injuries by increasing compensation in cases of temporary total, permanent total, and partial disability, and for injuries causing death, and certain specific loss injuries; repealing sections 92-705 of the Revised Codes of Montana, 1947, relating to burial expenses and 92-706 of the Revised Codes of Montana, 1947, relating to medical care, hospitalization and treatment; providing for payment of burial expenses; providing for medical and hospital services and such other treatment as approved by the board; and amending section 92-707, Revised Codes of Montana, 1947, as last amended by chapter seven, Montana Session Laws of 1949, reducing the waiting period; amending section 92-708, Revised Codes of Montana, 1947, as last amended by chapter 253, Montana Session Laws, 1955, removing restrictive language in consecutive payment of compensation; repealing conflicting acts; providing an effective date.".....	424, 509, 520, 521, 525, 710, 719, 720, 723, SA-727, 815, 817, 827.
334	Introduced by Elting, Morrison, Felt: A bill for an act entitled: "An act creating a commission to make a comprehensive and constructive study of the tax structure of the State of Montana, creating the commission on taxation and prescribing the powers and duties of the commission; providing for selection of an executive secretary and other personnel; appropriating funds for the expense thereof and providing for an effective date.".....	184, 348, 457, 460, 469, 650.
335	Introduced by DeWolfe, Gunderson, Barrett, Abel, Tonner, Haines (Missoula), Lees: A bill for an act entitled: "An act to provide for the rehabilitation, redevelopment, and clearance of blighted areas in cities and towns in this state in accordance with urban renewal plans approved by the governing bodies thereof; to define the duties, liabilities, exemptions and power of such cities and towns in undertaking such activities, including	

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	the power to acquire property through the exercise of the power of eminent domain or otherwise, to dispose of property subject to any restrictions deemed necessary to prevent the development or spread of future deteriorated or blighted areas, to issue revenue bonds and other obligations, to levy taxes and assessments and to enter into agreements to secure federal aid and comply with conditions imposed in connection therewith; to provide for an urban renewal agency and its powers hereunder if a city or town determines it to be in the public interest; to authorize public bodies to furnish funds, services, facilities and property in aid of urban renewal projects hereunder, and to provide that properties while held by a public agency hereunder shall be exempt from taxation."	184, 467, 509, 520, 521, 524, 708, 758, 759, 783.
336	Introduced by Hawks (by request): A bill for an act entitled: "An act to amend section 4-108, Revised Codes of Montana, 1947, as amended by section 2 of chapter 235, Laws of Montana, 1957, by providing for increases in salaries for vendors and assistant vendors of class A, class B, and class C state liquor stores."	184.
337	Introduced by Holtz, Emmons: A bill for an act entitled: "An act to amend section 4-317 and 4-324, Revised Codes of Montana, 1947, relating to taxes on beer to provide that the tax upon beer be increased from one dollar (\$1.00) to two dollars (\$2.00) per barrel of thirty-one (31) gallons."	184, 401, S-401, 404, 458, 469, 511, 512, 515, 517, 662, 694, 695, 722, 791.
	Sub. 337—See Index Page 251.	
338	Introduced by Kvaalen, Nelstead: A bill for an act entitled: "An act to amend section 11-1202, Revised Codes of Montana, 1947, as amended by section 1, chapter 139, of the Montana Session Laws of 1949, relating to awarding of contracts by a city or town for work, supplies or materials for which a sum must be paid exceeding one thousand dollars (\$1,000.00); providing that the advertisement of such contract, if by publication, shall be made once each week for two consecutive weeks and the second publication shall be made not less than five (5) days nor more than twelve (12) days before the consideration of bids; and providing for a repealing clause."	185, 327, 378, 412, 424, 449 708, 758, 759, 783.
339	Introduced by Anderson, Angstman, Morrison, Regan, Battin, Haines (Prairie), Cavan: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amend-	

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	ment to section 2 of article VII of the Constitution of the State of Montana, relating to the election of the officers of the executive department of the government of the State of Montana and providing that the candidates for governor and lieutenant-governor of each political party shall be so arranged on the ballot so that the electors must vote for the governor and lieutenant-governor as a unit and may not vote for the governor or lieutenant-governor separately."	187.
340	Introduced by Gilfeather, Eskildsen: A bill for an act entitled: "An act to amend section 84-301 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 88, of the Montana Session Laws of 1957, relating to property classification of certain types of property; providing for classification of money or property used as collateral under certain circumstances; repealing section 84-308 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 172, of the Montana Session Laws of 1957, relating to basis for imposition of taxes on moneys and credits, moneyed capital and bank shares; and containing a repealing clause."	187, 466.
341	Introduced by Gilfeather, Eskildsen: A bill for an act entitled: "An act to amend section 84-302 of the Revised Codes of Montana, 1947, relating to the basis for imposition of taxes, to provide for certain changes in the basis for imposition of taxes; and containing a repealing clause."	187, 466.
342	Introduced by Gilfeather, Eskildsen: A bill for an act entitled: "An act to amend section 84-304 of the Revised Codes of Montana, 1947, relating to defining of moneyed capital for taxation purposes, to include money or property used as collateral for money used in any loan business which charges in excess of twelve percent (12%) per annum; and containing a repealing clause."	187, 466.
343	Introduced by Gilfeather: A bill for an act entitled: "An act amending chapter 15, title 84, Revised Codes of Montana, 1947, by adding thereto a section to be numbered 84-1501.1 imposing corporation license tax on insurance companies when gross premium tax is less than two and one fourth (2¼) per centum, providing an effective date, and repealing all acts and parts of acts in conflict herewith."	187, 440.
344	Introduced by Gilfeather: A bill for an act entitled: "An act to amend section 25-604, of the Revised Codes of Montana, 1947, as amended by section 1, chapter 136, of the Montana Session Laws of 1951, relating to the power of county commissioners to fix salaries of deputies and assistants, to provide for uniformity of salary among the several depu-	

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	ties and assistants; repealing all acts or parts of acts in conflict herewith; and providing for an effective date of act.".....	188, 438.
345	Introduced by Barrett, Gill, Wood: A bill for an act entitled: "An act relative to the development and utilization of atomic energy for peaceful purposes in the State of Montana; to provide a definition of terms; to prohibit utilization of nuclear material unless having first complied with provisions of the atomic energy act of 1954 of the United States; to provide for continuing studies by certain state agencies; to provide for appointment of a coordinator of atomic development activities, and providing duties and salary for said coordinators; to provide for an atomic energy advisory board of the State of Montana, its membership and duties; to provide for enforcement of said act; providing for a savings clause, and repealing all acts and parts of acts in conflict herewith.".....	188.
346	Introduced by Babcock, Kolar, Sheehy, Gerard: A bill for an act entitled: "An act to amend subsection 3 of section 53-106 of the Revised Codes of Montana, 1947, relating to license plates and providing exempt license plates for vehicles on loan to or owned by the civil air patrol, and containing a repealing clause.".....	188, 265, 273, 297, 302, 303, 709, 740, SA-765, 815, 817, 818, 827.
347	Introduced by Gilfeather, Healy, Picard, Bradford, Gunderson, Cavan: A bill for an act entitled: "An act to amend section 11-729 of the Revised Codes of Montana, 1947, as amended by section 4, chapter 76, Session Laws of 1953; relating to the salary of city attorney; repealing all acts and parts of acts in conflict herewith; and providing for an effective date of act.".....	188, 327.
348	Introduced by Cavan: A bill for an act entitled: "An act to amend section 87-148, Revised Codes of Montana, 1947, as amended by section 1, chapter 160 of the laws of 1953, as amended by section 9, chapter 164, laws of 1955, as amended by section 11, chapter 171, laws of 1957, relating to excluding from the term 'employment' covered by said act of persons performing part-time services for churches, charities, benevolent, fraternal, non-profit societies and like associations as defined in section 15-1401, Revised Codes of Montana, 1947, repealing all acts in conflict herewith and providing that this act be effective from and after its passage and approval.".....	188, 401, 461, 501, 503, 508, 708, 733, 742.
349	Introduced by Cavan: A bill for an act entitled:	

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	<p>"An act to amend section 62-102 of the Revised Codes of Montana, 1947; relating to the use of land for county parks and recreational areas and the imposition of a tax levy by the Board of County Commissioners in connection therewith; and to amend chapter 1 of title 62, Revised Codes of Montana, 1947, by adding thereto a new section to be known as section 62-103 providing for the creation of county park districts and the appointment of county park commissioners, and providing for the qualifications, appointment, organization and compensation of said county park commissioners, and providing for records and reports of said county park commission; and to amend chapter 1 of title 62, Revised Codes of Montana, 1947, by adding thereto a new section to be known as section 62-104 providing for powers and duties of the board of county park commissioners; and to amend chapter 1 of title 62, Revised Codes of Montana, 1947, by adding thereto a new section to be known as section 62-105 providing for independent or cooperative development and maintenance of county park or recreational areas; and to amend chapter 1 of title 62, Revised Codes of Montana, 1947, by adding thereto a new section to be known as section 62-106 providing that the county treasurer shall serve as treasurer and custodian of all country park funds and that the county attorney shall act as legal adviser for the county park commission; and containing a repealing clause."</p>	188, 425, 498, 532, 533, 615.
350	<p>Introduced by Cavan, Battin, Babcock: A bill for an act entitled: "An act to amend section 25-605 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 22 of the Montana Session Laws of 1957, relating to salaries of county officers, to provide for two additional categories under the taxable valuation basis for setting salaries; and containing a repealing clause."</p>	189, 425, 474, 497, 502, 504, 590, 623, 666.
351	<p>Introduced by McGaffick, Holding Lees: A bill for an act entitled: "A bill to amend section 16-2414 (4736), Revised Codes of Montana, 1947, as amended by chapter 108, laws of 1949, and chapter 199, laws of 1957, relating to the hours when certain county officers shall keep their offices open; repealing all acts or parts of acts in conflict herewith; and making this act effective upon its passage and approval."</p>	189, 402.
352	<p>Introduced by McGaffick, Holding, Sheehy, Lees: A bill for an act entitled: "A bill to amend section 59-510, Revised Codes of Montana, 1947, as amended by chapter 22, laws of 1951, and chapter 253, laws of 1957, relating to office hours of public</p>	

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	officers; repealing all acts or parts of acts in conflict herewith; and making this act effective upon its passage and approval.".....	189.
353	Introduced by Glancy: A bill for an act entitled: "An act to amend section 26-201 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 19, of the Montana Session Laws of 1953, relating to definitions under fishing and hunting licenses, to provide for including the rabbit as a game animal; to amend section 26-202.1 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 100, of the Montana Session Laws of 1957, relating to fish and game licenses, to provide for the necessity of having a certain license to hunt rabbits within the State of Montana; and containing a repealing clause."	189, 281, 338, 377, 383, 388.
354	Introduced by Holtz, Wood (by request): A bill for an act entitled: "An act requiring every person, firm, association, joint stock company and corporation engaged in cutting or removing logs or wood from lands, or standing trees from which logs or wood are taken, to pay to the State Board of Equalization for engaging in and carrying on such business a tax for the exclusive use and benefit of the State of Montana; fixing the amount of such tax; prescribing a method for the assessment and collection thereof; providing for certain exemptions; providing for hearings; providing for refunds; and prescribing penalties for violations of the provisions of this act."	189, 402, 419.
355	Introduced by Wood, Holtz (by request): A bill for an act entitled: "An act imposing a license tax on soft drinks and soft drink syrups; defining terms; providing for stamps and crowns to indicate payment of the tax; providing exemptions; prescribing method of administration by the State Board of Equalization; providing for discount on purchase of crowns and stamps; providing penalties for violation of the provisions of this act; providing for payment under protest; providing for inspections; establishing a lien; and repealing all acts and parts of acts in conflict herewith."	189, 360.
356	Introduced by Holtz, Wood: A bill for an act entitled: "Montana Agricultural Enabling Act." "An act relating to agriculture and agricultural production; defining terms; providing for the issuance, amendment and termination of marketing orders and agreements; providing for an advisory committee, for the creation of commodity commissions and prescribing powers and duties thereof; prescribing hearing, appeal, election and other procedures; levying assessments; providing for enforcement and establishing penalties."	189, 462.

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357	Introduced by Healy, Powers: A bill for an act entitled: "An act to amend sections 87-106, 87-148, and 87-149, Revised Codes of Montana, 1947, as last amended by chapter 171, Session Laws of 1957, relating to unemployment compensation provisions; authorizing commission discretion in disqualification chargebacks; providing election coverage for public employees; defining terms; providing an effective date.".....	190, 435, 509, 515, 521, 522, 653.
358	Introduced by Healy, Powers: A bill for an act entitled: "An act to amend sections 87-103, 87-104, Revised Codes of Montana, 1947, as last amended by chapter 140, Session Laws of 1957, and amending section 87-109, as last amended by chapter 171, Session Laws of Montana, 1957, relating to unemployment compensation; increasing maximum potential weekly benefit amounts; increasing maximum duration of benefit payments; providing additional weeks benefits based on employee experience; restoring former classified contribution rates; increasing average percentage of such rates; increasing trust fund reserve ceiling; increasing wage coverage limit; repealing conflicting acts; providing an effective date.".....	190, 435, S-435, 445, 509, 515, 521, 523, 710, 740, SA-760, 823, 827.
Sub. 358	Introduced by Committee on Social Security: A bill for an act entitled: "An act to amend sections 87-103, 87-104, Revised Codes of Montana, 1947, as last amended by chapter 140, Session Laws of 1957, and amending section 87-109, as last amended by chapter 171, Session Laws of Montana, 1957, relating to unemployment compensation; increasing maximum weekly benefit amounts; increasing minimum qualifying wages; increasing maximum duration of benefit payments; providing additional weeks benefits based on employee experience; restoring former classified contribution rates; increasing average percentage for such rates; increasing trust fund reserve ceiling; repealing conflicting acts; and providing an effective date.".....	435, 445, 509, 515, 521, 523, 710, 740, SA-760, 823, 827.
359	Introduced by Gilfeather, Schwinden, Gunderson: A bill for an act entitled: "An act to amend section 84-4905, Revised Codes of Montana, 1947, as amended by section 1, chapter 260, Montana Session Laws of 1955, pertaining to adjusted gross income for income tax purposes, to add as income patronage dividends, refunds and rebates and allocations of reserve to patrons from cooperatives, whether paid in cash or otherwise, provided such patronage dividends, refunds and rebates and allo-	

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	cations of reserve represent additional sales proceeds from a marketing cooperative or repayment of deductible expense item by a purchasing cooperative, and repealing all acts and parts of acts in conflict herewith."	190, 308, 361, 392, 394, 408, 708, 728, 733.
360	Introduced by Devier, Nichols, Moudree, Walton, Bardanouve (by request): A bill for an act entitled: "An act to amend section 5-907, Revised Codes of Montana, 1947, relating to payments by irrigation districts, and fixing payments to be made by day and hour; repealing all acts and parts of acts in conflict herewith."	190, 345, 378, 412, 424, 446, 753, 758, 759, 783.
361	Introduced by Devier, Nichols, Moudree, Walton, Bardanouve (by request): A bill for an act entitled: "An act to amend section 5-904, Revised Codes of Montana, 1947, relating to payments by counties into state examiner's fund; providing schedule of fees to be paid for examinations; repealing all acts and parts of acts in conflict herewith."	190, 345, 378, 412, 424, 446, 662, 711, 712, 733.
362	Introduced by Devier, Nichols, Moudree, Walton, Bardanouve (by request): A bill for an act entitled: "An act to amend section 5-906, Revised Codes of Montana, 1947, relating to payments by county free high schools, and fixing schedule of payments for examinations; repealing all acts and parts of acts in conflict herewith."	190, 345, 378, 412, 424, 447, 662, 694, 695, 722, 791.
363	Introduced by Devier, Nichols, Bardanouve, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 5-908, Revised Codes of Montana, 1947, relating to payments by banks, investment and trust companies, and fixing schedule for payment for examinations by state examiner; repealing all acts and parts of acts in conflict herewith."	190, 346, 378, 412, 424, 437, 452, 662, 694, 695, 722, 791.
364	Introduced by Devier, Nichols, Bardanouve, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 75-1632, Revised Codes of Montana, 1947, relating to duties of trustees of schools; providing for amendment of only subsection 24 thereof, and making fee sixty dollars (\$60.00) per day for examinations, and deleting requirements for payment of transportation and	

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	per diem; repealing all acts and parts of acts in conflict herewith."	191, 346, 378, 412, 424, 447, 662, 711, 712, 733.
365	Introduced by Devier, Nichols, Bardanouve, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 82-1008, Revised Codes of Montana, 1947, relating to examinations of accounts of cities, towns and certain school districts; providing a fee of sixty dollars (\$60.00) per day for such examination, and deleting requirements for payment of transportation expense; repealing all acts and parts of acts in conflict herewith.".....	191, 346, 378, 412, 424, 439, 447, 662, 694, 695, 722, 791.
366	Introduced by Devier, Nichols, Bardanouve, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 5-905, Revised Codes of Montana, 1947, relating to payments by cities and towns, fixing amounts of fees to be paid by cities and towns for examinations; repealing all acts and parts of acts in conflict herewith."	191, 346, 378, 412, 424, 447, 662, 694, 695, 722, 791.
367	Introduced by Devier, Nichols, Bardanouve, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 5-910, Revised Codes of Montana, 1947, relating to special examination fees to be paid to the state examiner for such special examinations; repealing all acts and parts of acts in conflict herewith."	191, 346, 378, 412, 424, 448, 662, 711, 712, 733.
368	Introduced by Devier, Nichols, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 14-106, Revised Codes of the State of Montana, 1947, relating to supervision of credit unions by state examiner, fee for examinations; providing for sixty dollars (\$60.00) per day fee and deleting requirements to pay transportation and per diem; repealing all acts and parts of acts in conflict herewith."	191, 346, 378, 412, 413, 437, 453, 662, 673, 674, 675, 730.
369	Introduced by Devier, Nichols, Bardanouve, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 5-909, Revised Codes of Montana, 1947, relating to payments by building and loan associations under supervision of the superintendent of banks, and fixing schedule for fees; repealing all acts and parts of acts in conflict herewith."	191, 346, 378, 413, 424, 448, 662, 673, 674, 675, 730.

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370	Introduced by Battin, Anderson, Cavan, Babcock: A bill for an act entitled: "An act repealing section 92-710, Revised Codes of Montana, 1947, relating to hernia cases."	191, 221, 386, 424, 455, 461, 481, 662, 722, 733.
371	Introduced by Battin, Cavan, Elting, Babcock, Anderson: A bill for an act entitled: "An act to amend section 87-103, Revised Codes of Montana, 1947, as amended by section 1 of chapter 245, Laws of Montana, 1947, by section 1 of chapter 178, Laws of Montana, 1949, by section 1 of chapter 191, Laws of Montana, 1953, by section 1 of chapter 238, Laws of Montana, 1955, and by section 1 of chapter 140, Laws of Montana, 1957, to amend section 87-104, Revised Codes of Montana, 1947, as amended by section 1, chapter 245, Laws of Montana, 1947, by section 1, chapter 178, Laws of Montana, 1949, by section 2, chapter 191, Laws of Montana, 1953, and by section 3, chapter 140, Laws of Montana, 1957, by providing additional weeks of benefits based on employee claim experience; to amend section 87-105, Revised Codes of Montana, 1947, as amended by section 3 of chapter 191, Laws of Montana, 1953, and by section 2 of chapter 238, Laws of Montana, 1955, and section 2, chapter 140, Laws of Montana, 1957, and to amend section 87-106 Revised Codes of Montana, 1947, as amended by section 4 of chapter 191, Laws of Montana, 1953, section 1 of chapter 164, Laws of Montana, 1955, and section 1 of chapter 171, Laws of Montana, 1957, all relating to unemployment compensation by providing for an increase in the minimum amount of high quarter wages, by increasing the minimum weekly benefit amount, by increasing the minimum qualifying wages, by increasing the lowest maximum total benefits, by eliminating the first five steps in the benefit schedule; by providing for a two week waiting period; providing that a claimant is disqualified for a period of five weeks in addition to the waiting period if he has voluntarily left work; and by clarifying the provisions of the law relative to unemployment due to pregnancy; repealing all acts and parts of acts in conflict with this act, and providing an effective date of this act."	191, 458.
372	Introduced by Holtz (by request): A bill for an act entitled: "An act to amend section 14-102, Revised Codes of Montana, 1947, relating to the incorporation of credit union associations; providing for the approval of the state examiner and ex officio superintendent of banks of articles of incorporation of such association before filing with the secretary of state."	192, 383, 458, 473, 489, 495, 662, 674, 675, 722, 791.
373	Introduced by Holtz (by request): A bill for an act	

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	entitled: "An act to amend section 14-119, Revised Codes of Montana, 1947, relating to a credit union's power to borrow by providing that a credit union may borrow not to exceed fifty per centum (50%) of the total amount of members' shareholdings; repealing all acts and parts of acts in conflict herewith."	192.
374	Introduced by Anderson, McGaffick, Haines (Prairie), Lees: A bill for an act entitled: "An act to amend section 84-1819 of the Revised Codes of Montana, 1947, relating to penalties for unlawfully obtaining refunds of gasoline tax and providing for the payment of tax before application for refund; and containing a repealing clause."....	192, 438.
375	Introduced by Committee on State Lands, Forests and Parks: A bill for an act entitled: "An act to amend section 81-1403 of the Revised Codes of Montana, 1947, relating to state forester, appointment, compensation, term, assistants, and containing a repealing clause."	192, 327, 329, 428, 497, 502, 504, 654.
376	Introduced by Committee on State Lands, Forests and Parks: A bill for an act entitled: "An act to amend section 28-101 of the Revised Codes of Montana, 1947, relating to State Board of Forestry to provide for the protection and conservation of forest resources, forest range and water, regulation of stream flow, the prevention of forest fires; to strike the restriction against payment of a salary for the state forester; and containing a repealing clause."	192, 328, 329, 428, 497, 502, 504, 753, 794, 795, 810.
377	Introduced by Eskildsen, Barnard, Karlberg, Abel, Barnes, Healy, Gunderson, Barrett, Woodring, Nees, McOmber, McNally, Holecek, Strnisha, Devier, Aasheim: A bill for an act entitled: "An act providing for the election of justices of the Supreme Court and judges of the District Court in the same manner and under the same laws as other state officers are elected; providing for the repeal of sections 23-2001 through, and including 23-2014, Revised Codes of Montana, 1947, and amending section 23-1106, Revised Codes of Montana, 1947; and providing that all acts or parts of acts in conflict herewith are hereby repealed."	192, 300, 395, 424, 455, 461, 481, 666.
378	Introduced by Eskildsen, Parker, DeWolfe: A bill for an act entitled: "An act to amend section 11-2402, Revised Codes of Montana, 1947, as last amended by chapter 42, Montana Session Laws of 1949, relating to definitions of authority of municipalities under municipal revenue bond act of 1939;	

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	providing authority to issue revenue bonds for presently authorized municipal purposes."	193, 374, 398, 424, 437, 452, 576, 593, SA-594, 623, 643, 731.
379	Introduced by Tonner, Sheldon (Flathead), Langston, Glancy, Harball: A bill for an act entitled: "An act to amend section 89-103 of the Revised Codes of Montana, 1947, relating to the State Water Conservation Board, officers, meetings, quorum, employees, counsel, compensation, and providing that nothing herein contained shall be construed to be in conflict with any federal aid water development acts, and providing for the appointment and composition of said board, its fees and expenses; providing qualifications; and providing for a repealing clause and effective date."	193, 380, 424, 455, 461, 482, 563.
380	Introduced by Elting, Reeder, Strnisha, Langston, Leuthold: A bill for an act entitled: "An act relating to the livestock laws of the State of Montana; providing for the preparation of a modern and adequate livestock code; providing for a codification committee consisting of three House and three Senate members and directing said committee to prepare and submit the same to the Legislative Assembly by a specified date; making a supplementary appropriation therefore; and repealing all acts and parts of acts in conflict herewith."	193.
381	Introduced by Sheehy, Battin: A bill for an act entitled: "An act amending the following sections, all pertaining to county water districts, of the Revised Codes of Montana, 1947: Section 16-4508 relating to the qualifications of electors and the manner of conducting elections; section 16-4520 relating to publication of notice of election on bonded indebtedness and qualification of electors; section 16-4527 relating to the levy and payment of water district taxes, and section 16-4528 relating to the levy and collection of water district taxes; repealing all acts or parts of acts in conflict herewith; and providing a saving clause and an effective date."	193, 346, 424, 455, 461, 482, 631, 711, 713, 750, 756, 785, 815, 817, 827.
382	Introduced by Sheehy, Battin: A bill for an act entitled: "An act to amend section 16-1629 of the Revised Codes of Montana, 1947, relating to lighting systems in rural improvement districts, to provide optional methods of assessment of maintenance costs for lighting in said districts; contain-	

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	ing a repealing clause; and providing an effective date."	193, 474, 501, 503, 506, 708, 754, 755, 783.
383	Introduced by Sheehy: A bill for an act entitled: "An act relating to claims to real estate antedating January 1, 1935; providing exemption to minors and insane and providing for limitation."	193, 298.
384	Introduced by Sheehy: A bill for an act entitled: "An act providing contributory negligence is no bar to recovery of damages and providing that jury may diminish damages."	193, 255.
385	Introduced by Casey, Sheldon (Flathead): A bill for an act entitled: "An act amending section 69-1512 of the Revised Codes of Montana of 1947 relating to fees for inspection of boilers and for examination of applicants for engineer's license; and amending section 69-1516 of the Revised Codes of Montana of 1947 relating to renewal of certificates of license to engineers; and repealing all acts and parts of acts in conflict herewith."	194, 361, S-361, 368, 383, 413, 424, 425, 449, 590, 617, 618, 623, 644.
	Sub. 385—See Index Page 251.	
386	Introduced by Daniels: A bill for an act entitled: "An act repealing sections 80-739, 80-740, and 80-741, Revised Codes of Montana, 1947, relating to commutation of sentence upon good behavior; good behavior allowance for convicts in certain employments, and forfeiture of commutation, with an exception."	194, 394, 458, 473, 489, 495, 645.
387	Introduced by Daniels: A bill for an act entitled: "An act to amend section 94-7832, Revised Codes of Montana, 1947, relating to sentencing of persons found guilty of a crime or offense; containing a repealing clause and providing an effective date."	194, 395, 458, 473, 474, 489, 495, 645.
388	Introduced by Daniels: A bill for an act entitled: "An act to amend section 94-9832, Revised Codes of Montana, 1947, relating to parole authority and procedure; to repeal section 94-9833, Revised Codes of Montana, 1947, relating to conditional release to amend section 94-9838, Revised Codes of Montana, 1947, relating to return of parole violators; to amend section 94-9839, Revised Codes of Montana, 1947, relating to service of term for additional crime; to amend section 94-9840, Revised Codes of Montana, 1947, relating to discharge of prisoner, parolee, or conditional releasee; repeal-	

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	ing all acts and parts of acts in conflict herewith, and containing an effective date.".....	194, 396, 458, 473, 489, 496, 645.
389	Introduced by Holtz: A bill for an act entitled: "An act authorizing the State of Montana, acting through the Board of Examiners thereof, to enter into group hospitalization, medical, health, accident and/or group life insurance contracts or plans for the benefit of officers and employees and their dependents; limiting the state contribution to five dollars (\$5.00) per month for each officer or employer; repealing all acts and parts of acts in conflict herewith.".....	194, 293, 301.
390	Introduced by McNally, Powers: A bill for an act entitled: "An act to provide for increased safety on the highways of Montana; relating to and prescribing the manner of regulating the trade of repairing motor vehicles and trailers; providing the licensing and bonding of those engaged therein; prescribing the powers and duties of certain officials therein; providing penalties; providing appropriation and fund; repealing conflicting laws.".....	194, 328.
391	Introduced by Wold, Aasheim, Bradford, Nees, Kiff: A bill for an act entitled: "An act to amend section 93-9908 of the Revised Codes of Montana, 1947, providing for the necessary allegations of a complaint in eminent domain to acquire right-of-way for highways.".....	194, 339, 466, 526.
392	Introduced by Wold, Bradford, Aasheim, Nees, Kiff: A bill for an act entitled: "An act to amend section 32-1615 of the Revised Codes of Montana, 1957, to define the powers, authority and procedure to be followed by the Montana State Highway Commission to establish, to acquire by purchase, or otherwise, rights of way for state highways and interstate highways, and to lay out, alter, construct, improve and maintain state highways and interstate highways and to acquire by purchase, or otherwise, road materials and to exercise the power of eminent domain.".....	194, 490.
393	Introduced by Gill, Wayrynen, Gunderson, Jensen, McGaffick, Strnisha: A bill for an act entitled: "An act consenting to the acquisition by the United States of land, water or land and water, within the State of Montana for migratory bird reservations authorized by the Act of Congress of February 18, 1929, (as amended).".....	195, 260, 278, 297, 312, 326, 333, 630.
394	Introduced by Wood: A bill for an act entitled: "An act to amend section 11-966 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 34 of the Montana Session Laws of 1955, per-	

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	taining to the purposes for which indebtedness may be incurred by cities and towns, determining the extent of indebtedness for such purposes, providing that no money may be borrowed on bonds until submitted to and approved by a majority vote of the taxpayers affected thereby and including in said section the purpose 'sewage treatment and disposal plants'; repealing all acts and parts of acts in conflict herewith."	195, 270, 284, 313, 320, 323, 576, 578, 579, 591, 619.
395	Introduced by Wood, Bradford: A bill for an act entitled: "An act to amend section 91-3906 of the Revised Codes of Montana, 1947, relating to final settlement, order and discharge of executors; by providing for the natural parent of a minor to receipt for bequests up to a maximum of one thousand dollars (\$1,000.00); and repealing all acts or parts of acts in conflict herewith."	195, 298, 338, 377, 383, 389, 666.
396	Introduced by McGarvey, Barrett, Healy, Powers, Elting: A bill for an act entitled: "An act creating a special disability fund; providing an appropriation to establish such funds; providing self financing for fund maintenance; providing for payment of compensation for injured workman under the workmen's compensation act and reimbursement to the employer, insurer, or state fund of the amount of compensation due by reason of previously existing physical impairments; providing for administration by the Industrial Accident Board and repealing all acts or parts of acts in conflict herewith."	195, 398, 425, 624.
397	Introduced by Sheldon (Lincoln), Holding, Powers, Healy: A bill for an act entitled: "An act to provide for workman's compensation coverage for disease disabilities caused by employment; amending section 92-418, Revised Codes of Montana, 1947, defining injury, amending section 92-601, Revised Codes of Montana, 1947, providing for time within which claims must be presented; amending section 92-807, Revised Codes of Montana, 1947, relating to notice; providing a new section for protection of present employees; providing a new section for apportionment of compensation where employer can establish that a portion of the disease disability was incurred in other employment; providing apportioned payment from a special disability fund where no previous and responsible employment can be assessed; providing an effective date; repealing conflicting acts."	195, 438, S-438, 445, 509, 511, 513, 515, 518, 519.
Sub. 397	Introduced by Committee on Workmen's Compensation: A bill for an act entitled: "An act to pro-	

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	vide for workmen's compensation coverage for silicosis disease disabilities caused by employment; amending section 92-418, Revised Codes of Montana, 1947, defining injury; permitting elective coverage for disease other than silicosis and diseases caused by silica dust; amending section 92-601, Revised Codes of Montana, 1947, providing for time within which claims must be presented; amending section 92-807, Revised Codes of Montana, 1947, relating to notice; providing a new section for protection of present employees; providing a new section for apportionment of compensation where employer can establish that a portion of the disease disability was incurred in other employment; providing apportioned payment from a special disability fund where no previous and responsible employment can be assessed; providing an effective date; repealing conflicting acts."	438, 445, 509, 511, 513, 515, 518, 519.
398	Introduced by Felt, Hawks: A bill for an act entitled: "An act to amend section 84-702, Revised Codes of Montana, 1947, relating to the qualifications and increasing the compensation of the members of the State Board of Equalization, and providing an effective date."	195, 428.
399	Introduced by Felt, Gerard, Anderson: A bill for an act entitled: "An act to amend section 82-504 of the Revised Codes of Montana, 1947, relating to the duties of the clerk of the Supreme Court and providing that it is the duty of the clerk to make copies of transcripts, copies of papers or record; to make copies of Supreme Court decisions, orders of proceedings for publishers of such decisions, orders or proceedings; providing for an effective date of said act."	195, 395.
400	Introduced by Loman, Anderson, Schwinden, Curry: A bill for an act entitled: "An act to amend subsections (13) and (21) of section 26-104 of the Revised Codes of Montana, 1947, as amended by chapter 151 of the Laws of Montana, 1957, relating to the power and authority of the commission to acquire by purchase, condemnation, lease, agreement, gift, or devise, lands or waters suitable for certain purposes, to provide for notice before such purchase, condemnation, lease or agreement is consummated; requiring a public hearing thereon when the lands or waters are located in certain counties; and providing for submission to and approval by the electorate when the lands or waters are located in certain counties; repealing all acts or parts of acts in conflict therewith and making this act effective upon its passage and approval."	196, 395, 400, 461, 501, 502, 507, 526, 532, 533.
401	Introduced by Loman, Anderson, Schwinden, Gill: A	

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	bill for an act entitled: "An act to amend section 26-133 of the Revised Codes of Montana, 1947, as amended by chapter 188 of the Laws of Montana, 1953, relating to payments in lieu of taxes to counties for department owned land, to provide for such payments out of the funds of the State Fish and Game Commission to any counties wherein the State of Montana Fish and Game Department owns more than one (1) acre; repealing all acts or parts of acts in conflict therewith and making this act effective upon its passage and approval."	196, 402, 458, 473, 489, 500, 571.
402	Introduced by Battin, Babcock, Cavan, Emmons, McGarvey: A bill for an act entitled: "An act to amend section 92-827, Revised Codes of Montana, 1947, relating to the record of proceeding before the Industrial Accident Board and providing for furnishing a copy thereof to the claimant without cost."	196, 221, 265, 273, 297, 302, 304, 662, 711, 712, 733.
403	Introduced by Battin, Babcock, Cavan, Emmons: A bill for an act entitled: "An act to amend section 92-703 of the Revised Codes of Montana, 1947, as amended by section 3, chapter 234, of the Montana Session Laws of 1957, relating to payment of permanent partial and temporary partial disability, to provide that an injured employee may elect to receive his compensation on the basis established for the loss of members or on loss of function of the member injured; and providing a repealing clause."	196.
404	Introduced by Daniels: A bill for an act entitled: "An act relating to contracts let by the State Highway Commission of the State of Montana or by any county of the State of Montana for the construction, alteration or maintenance of highways; providing in said contracts the hours of work, overtime and the computation and rate of wages therefor; providing that the operation of this act upon the letting of any highway contracts as heretofore set forth in connection with funds granted or advanced by the United States of America shall be subject to the effect, if any, of related laws of the United States and valid rules and regulations of federal agencies in charge, governing use and payment of such federal funds and providing for effective date of act; repealing all acts and parts of acts in conflict herewith."	196, 380.
405	Introduced by Daniels: A bill for an act entitled: "An act regulating the erection, use, and maintenance of signs, advertising structures or similar devices used for the display of advertising outdoors on private property along public highways	

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	within this state; providing penalties and appropriate legal proceedings for violation of this act; and repealing acts and parts of acts in conflict herewith."	196, 490.
406	Introduced by Daniels: A bill for an act entitled: "An act to amend section 70-105 of the Revised Codes of Montana, 1947, relating to public utilities supplying service and extending gas mains on written request by twenty (20) or more prospective consumers, lying within an area of five (5) miles of any main line or gas service connection outlet, providing for such utilities to enter into a contract with said consumers, providing that subsequent consumers must contribute to any payment made to said utility and containing a repealing clause."	197, 464, 470, 509, 526, 532, 533, 615.
407	Introduced by Glancy, Powers, Babcock, Tonner, Morrison, Jensen, McNally, Bashor: A bill for an act entitled: "An act to provide conventional and roof bolting standards for coal mining operations; prescribing procedure for adoption and use of roof support standards; specifying minimum standards of roof control and providing safety provisions; amending section 50-501, Revised Codes of Montana, 1947, pertaining to mine foremen and their duties by striking the words "timbering" and "timbers" and requiring compliance with the roof standards of this act; providing a penalty for the violation of this act; repealing section 50-466, Revised Codes of Montana, 1947, as amended by chapter 185, laws of 1949, and section 50-510, Revised Codes of Montana, 1947, and all other acts in conflict herewith; providing a severability clause and effective date of this act."	197, 293, 354, 393, 416, 423, 708, 733, 742.
408	Introduced by Sheehy, Wayrynen, Picard, Wold: A bill for an act entitled: "An act to amend section 16-2026 of the Revised Codes of Montana, 1947, relating to persons entitled to vote at county bond elections, to provide that such persons must be taxpayers upon real property; and containing a repealing clause."	197, 300, 338, 377, 397.
409	Introduced by Sheehy, Wayrynen, Picard, Wold: A bill for an act entitled: "An act to amend section 75-3912 of the Revised Codes of Montana, 1947, relating to persons entitled to vote at school district bond elections, to provide that such persons must be taxpayers upon real property; and containing a repealing clause."	197, 300, 341, 377, 398.
410	Introduced by Cavan, Anderson, Battin: A bill for an act entitled: "An act to amend section 94-2507	

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	(10959), Revised Codes of Montana, 1947, relating to the definition of voluntary and involuntary manslaughter; providing for definition of manslaughter by motor vehicle; and to amend section 94-2508 (10960), Revised Codes of Montana, 1947, relating to punishment for manslaughter; providing punishment for manslaughter by motor vehicle; repealing all acts or parts of acts in conflict herewith."	197, 395.
411	Introduced by Wold, Aasheim, Nees, Bradford: A bill for an act entitled: "An act to provide for the creation of a new highway commission for the State of Montana; providing for the elections of the members thereof; providing for the terms of office and the salary of the members of the commission; providing their powers, duties and qualifications; providing for appointment in the event of vacancy on the board; repealing sections 32-1601 and 32-1602 of the Revised Codes of Montana, 1947, relating to the present highway commission, its meetings, engineers, duties and bond; and containing a repealing clause."	197, 467, 509, 526, 532, 534, 577.
412	Introduced by Felt, Wood: A bill for an act entitled: "An act to amend sections 84-5403, and 84-5409, Revised Codes of Montana, 1947, relating to the computation of net proceeds, providing for deduction of improvements, repairs and betterments over ten years; providing new improvements, repairs and betterments reported to assessor before deduction allowed, providing for taxation and payment of royalty interests; providing for an effective date and repealing all acts and parts of acts in conflict herewith."	197, 361, 424, 455, 461, 482, 709, 740, SA-766, 815, 817, 818, 827.
413	Introduced by Felt, Wood: A bill for an act entitled: "An act to amend section 84-6204, Revised Codes of Montana, 1947, relating to the computation of net proceeds, providing capital expenditures reported to assessor before deduction allowed for such expenditures, and providing for an effective date."	198, 425, 474, 497, 502, 505, 590, 617, 618, 623, Veto-663.
414	Introduced by Powers, Shelden, Holding, McNally, Page (Granite), Healy: A bill for an act entitled: "An act to provide for reimbursement to the Public Welfare Department for public moneys expended upon compensable and occupationally caused diseases; providing for subrogation to compensation claims; providing a lien for welfare payments to claimants and dependents; providing	

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	for determinations of causal connection; providing apportionment of any recoveries between counties and state; providing for reports; protecting rights of recipients and dependents; providing an effective date and retroactive operation."	198, 436.
415	Introduced by Higham: A bill for an act entitled: "An act to provide that a city or town may invest moneys in special funds for which there is no immediate demand, in the purchase of outstanding city or town warrants, providing the warrants that may be so purchased, and the manner in which such warrants shall be purchased, and repealing all acts or parts of acts in conflict herewith."	198, 375, 399, 424, 437, 453, 709, 740, SA-764, 815, 818, 827.
416	Introduced by McGarvey, Wold, Schwinden, Raundal, Curry, Felt, Anderson, McGaffick: A bill for an act entitled: "An act providing that an owner and the members of his immediate family may do any work in his place of business; providing that any union or member thereof who interferes with or infringes on this right shall be guilty of an unfair labor practice; providing for penalties; providing for a repealing clause."	198, 396, 397, 458, 473, 489, 496, 753, 758, 759, 783.
417	Introduced by Picard: A bill for an act entitled: "An act to amend section 84-1818, Revised Codes of Montana, 1947, relating to the refund of gasoline license taxes procedure for refund; to provide the eliminate refunds for a period beginning July 1, 1959 and ending July 1, 1961 and providing that all refunds normally made shall be paid by the state treasurer out of the "gasoline license drawback fund" to the state highway funds to be used by the State Highway Commission for the construction of secondary roads only; repealing all acts and parts of acts in conflict herewith."	198, 265.
418	Introduced by Wayrynen, Bashor, McNally, Page (Granite), Powers, Sheehy, Picard: A bill for an act entitled: "An act to provide that the Montana State Liquor Control Board shall be the wholesale liquor monopoly and that retail liquor sales shall be made by retail liquor licensees of the board and by delegating to the board the right to fix wholesale and retail prices of liquor and allowing a reasonable profit to licensees, and to abolish state liquor stores and state vendors and to amend the permit system so as to require every person purchasing packaged liquor, wherever purchased, to hold a Montana liquor permit, and by providing that the Montana Liquor Control Board shall have general control of the warehouses of the	

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	board and may delegate the same to the state liquor administrator, and by providing that retail liquor licensees shall sell liquor only at the places and times authorized by the act and the regulations of the board, and to provide that liquor permits be issued by retail liquor licensees; and to provide that identification cards must be produced by persons of questionable age prior to issuance of a permit; and to provide that state liquor warehouses sell to retail liquor licensees only; and to provide for a warehouse foreman in charge of each subwarehouse; and to provide for licensees to purchase by certified or cashier's checks, as well as cash; and to specifically amend the following listed statutes of the Revised Codes of Montana, 1947;	198, 221, 468, 469, 509, 531.
419	Introduced by Special Fish and Game Investigating Committee: A bill for an act entitled: "An act to amend section 62-301, Revised Codes of Montana, 1947, replacing the State Highway Commission with the Fish and Game Commission in the management of the state park system; amending section 62-304, Revised Codes of Montana, 1947, to except the roadside camps from control by the Fish and Game Commission; amending section 62-310, Revised Codes of Montana, 1947, and section 62-311, Revised Codes of Montana, 1947, making the Fish and Game Commission responsible for establishing and maintaining a biological station; amending section 62-314, Revised Codes of Montana, providing for violation of rules promulgated by the Fish and Game Commission relating to state parks; and containing a repealing clause.".....	199, 310.
420	Introduced by Sheehy: A bill for an act entitled: "An act to prescribe registration and license fees for motor buses used exclusively in urban passenger transportation systems; providing that section 53-114 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 223 of the Montana Session Laws of 1957, relating to registration of motor vehicles and fees, and section 53-122, of the Revised Codes of Montana, 1947, as amended by section 1, chapter 41 of the Montana Session Laws of 1955, shall not be applicable to urban transportation systems or vehicles; containing a repealing clause and a severability clause."	199, 490.
421	Introduced by Sheehy: A bill for an act entitled: "An act to amend section 84-1818 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 212 of the Montana Session Laws of 1955, relating to refund of gasoline tax, to include urban passenger transportation systems; defining urban passenger transportation systems; and repealing all acts and parts of acts in conflict herewith.".....	199, 490.
422	Introduced by Gleed, Leuthold, Kiff, Elting, Hawks,	

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	Sales, Haines (Prairie), Gerard: A bill for an act entitled: "An act to require labor unions to elect officers by a majority vote of members and by secret ballot; to provide that the contracts of labor unions whose officers are not elected by a majority vote of the members and by secret ballot shall not be enforceable in the courts of this state; defining terms; repealing all acts and parts of acts in conflict with this act; and providing an effective date for this act.".....	199, 300.
423	Introduced by McGarvey: A bill for an act entitled: "An act to amend section 4-333 of the Revised Codes of Montana, 1947, as amended, relating to the limitation of the number of retail beer licenses that may be issued by the Montana Liquor Control Board in incorporated cities and towns and in areas outside incorporated cities and towns; deleting the provision that veterans' organizations and fraternal organizations are not to be governed by such limitations; and repealing all acts and parts of acts in conflict herewith.".....	199, 218.
424	Introduced by Wood, Barnard, Howard: A bill for an act entitled: "An act to authorize the State of Montana to become indebted for the sum of five million dollars (\$5,000,000.00) in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated for the construction and equipment of necessary buildings and other permanent improvements for the Montana state prison at Deer Lodge, Montana; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof; prescribing the form of such bonds and providing for a levy of an annual tax in excess of the amount prescribed by the constitution for state purposes sufficient to pay the principal thereof and the interest accruing thereon; and providing for a referendum of this act.".....	199, 284, 428, 474, 501, 503, 506, 740, 742, 794, 811, 822, 833, 834, 835.
425	Introduced by Bardanouve: A bill for an act entitled: "An act to amend section 81-408 of the Revised Codes of Montana, 1947, relating to lease expiration dates to provide for publication in the official newspaper of each county a list of all state lands upon which leases expire on February 28 of any year, and to provide for the repeal of all acts and parts of acts in conflict herewith.".....	200, 380, 399, 424, 437, 452, 630.
426	Introduced by Bardanouve: A bill for an act entitled: "An act to amend section 81-433 of the Revised Codes of Montana, 1947, as amended by	

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	chapter 190, laws of 1949 and chapter 229, laws of 1951, relating to rental rates of state grazing lands upon the animal-unit-month basis, to provide for an increase in the rental rates of state grazing lands by use of a new formula for computation of such rates, and to provide for the repeal of all acts and parts of acts in conflict herewith."	200, 380, S-380, 382, 425, 473, 489, 497, 630, SS-711, 714, 728, 729, 742, 783, 812, 815, 819, 822, 825, 826, 830, 833, 834, 835.
Sub. 426	Introduced by the Committee on State Lands, Forests and Parks: A bill for an act entitled: "An act to amend section 81-433 of the Revised Codes of Montana, 1947, as amended by chapter 190, laws of 1949 and chapter 229, laws of 1951, relating to rental rates of state grazing lands upon the animal-unit-month basis, to provide for an increase in the rental rates of state grazing lands by use of a new formula for computation of such rates, and to provide for the repeal of all acts and parts of acts in conflict herewith."	380, 382, 425, 473, 489, 497, 630, SS-711, 714, 728, 729, 742, 783, 812, 815, 819, 822, 825, 826, 830, 833, 834, 835.
427	Introduced by Bardanouve: A bill for an act entitled: "An act to amend section 81-408 of the Revised Codes of Montana, 1947, relating to lease expiration dates and providing that the term of grazing leases on state lands shall be seven (7) years and to provide for the repeal of all acts and parts of acts in conflict herewith."	200, 380.
428	Introduced by Bardanouve: A bill for an act entitled: "An act to amend section 81-407 of the Revised Codes of Montana, 1947, relating to who may lease state lands and how much; to provide that no association, company, or corporation authorized to hold state lands under lease, except state grazing districts, may hold more than 4,480 acres, and to provide for the repeal of all acts and parts of acts in conflict herewith."	200, 380.
429	Introduced by Anderson, Felt, Cavan, Gleed, Wright, Gerard, Sales, Haines (Prairie), Powell, Kvaalen, Nelstead, Hawks, Higham, Kolar, Babcock, Battin, Walton, Corcoran, Loman, Reinecke, Kiff, Paulsen, Page (Missoula), Howard, Elting, Bentz, Broeder, Haines (Missoula), Nichols: A bill for an act entitled: "An act to amend section 84-4910, Revised Codes of Montana, 1947, as amended by chapter 233, Laws of Montana, 1957, relating to exemptions in computing income tax; increasing the ex-	

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	emptions for taxpayers and their dependents from six hundred dollars (\$600.00) to seven hundred dollars (\$700.00) in each category; containing a repealing clause; and containing an effective date."	200, 428, 440.
430	Introduced by Cavan, Felt: A bill for an act entitled: "An act to provide for devises or bequests to a trust by will when the trust is amendable or revocable, or both, or because the trust was amended after the date of execution of the will, to provide that the property so devised or bequeathed shall not be deemed to be held under a testamentary trust, unless the will provides otherwise.".....	200, 394, 458, 473, 489, 496, 654, 711, 712, 733.
431	Introduced by McGaffick, Holecek, Strnisha, Haines (Missoula), Picard, Gleed: A bill for an act entitled: "An act to amend section 11-1918, Revised Codes of Montana, 1947, as amended by section 1, chapter 22, Laws of Montana, 1955, relating to reports of insurers authorized to do business in the State of Montana; providing for reporting of the fire portion of the direct premiums; after deducting cancellations and return premiums, in cities and towns having organized fire departments and fire department relief associations, repealing all acts and parts of acts in conflict herewith, and providing for an effective date of this act."	201, 384, 458, 473, 488, 489, 500, 708, 728, 733.
432	Introduced by McGaffick, Holecek, Strnisha, Haines (Missoula), Picard, Gleed: A bill for an act entitled: "An act to amend section 11-2030, Revised Codes of Montana, 1947, relating to the payment of premium tax to the volunteer firemen's compensation fund, repealing all acts and parts of acts in conflict herewith, and providing for an effective date."	201, 293, 335, 342, 349, 708, 722, 733.
433	Introduced by McGaffick, Holecek, Strnisha, Haines (Missoula), Picard, Gleed: A bill for an act entitled: "An act to amend section 11-1919, Revised Codes of Montana, 1947, relating to the manner in which the state auditor of the State of Montana shall pay to the fire department relief associations, legally organized and existing in the several cities and towns in the State of Montana, their respective share of the premium taxes collected from insurers authorized to do business in the State of Montana; repealing all acts and parts of acts in conflict herewith, and providing for an effective date."	201, 293, 335, 342, 350, 708, 722, 733.
434	Introduced by McGaffick, Holecek, Strnisha, Haines (Missoula), Picard, Gleed: A bill for an act en-	

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	titled: "An act to amend section 82-1231, Revised Codes of Montana, 1947, relating to fire marshal tax levy, repealing all acts and parts of acts in conflict herewith, and providing for an effective date."	201, 293, 335, 342, 350, 708, 733, 742.
435	Introduced by Anderson, Gerard, Cerovski, Bardanoue: A bill for an act entitled: "An act adopting the western interstate corrections compact for the development and execution of a program for the reciprocal confinement, treatment and rehabilitation of certain classes of convicted felons in institutions of participating states, directing cooperation of state agencies in the program, authorizing the holding of hearings requested by agencies of participating states, empowering the Governor to enter into contracts under the compact with the approval of the Board of Examiners, and repealing all acts and parts of acts in conflict herewith, and providing an effective date."	201, 337, 424, 460, 483, 666, 701, 702, 803, 815, 817, 818.
436	Introduced by Morrison (by request): A bill for an act entitled: "An act providing for the control of radiation from machines and radioactive materials; providing definitions; providing exemptions; creating a state radiation protection council and prescribing the powers and duties of the council; providing powers and duties of the State Board of Health to administer and enforce this act; authorizing the adoption and promulgation of rules, regulations, orders and classification and radiation-protection standards; providing for public hearings; providing for confidential data; providing for registration of radiation sources; providing for appeals from orders of the Board of Health or judgment of District Courts; providing inspections and investigations; prescribing penalties for the violation of this act or any rule, regulation or order of the board or classification and radiation-protection standard of the board; authorizing the use of the injunctive remedy; containing a severability clause and repealing clause."	201, 394.
437	Introduced by McGarvey: A bill for an act entitled: "An act to amend section 11-2204, Revised Codes of Montana, 1947, relating to resolution of intention, notice and materials for a special improvement district, to provide that a copy of notice of passage of resolution of intention shall be mailed to every person having real property within the proposed district listed in his name upon the last completed assessment roll for state, county and school district taxes, upon same day such notice is first published or posted; containing a repeal-	

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	ing clause, and providing for an immediate effective date."	201, 399, 454, 461, 483, 740, 742, 794, 809, 815, 817, 818, 827.
438	Introduced by Broeder, Strnisha: A bill for an act entitled: "An act to amend section 4-349 of the Revised Codes of Montana of 1947, as last amended by chapter 51 of the laws of 1955, prohibiting brewers and beer wholesalers from supplying certain fixtures and materials to retailers and prohibiting brewers and wholesalers from having a financial interest in the business of a retailer, by clarifying section three to specify types of 'financial interest' which are prohibited, repealing all acts and parts of acts in conflict herewith, and providing this act shall be effective upon its passage and approval."	202, 264, 278, 297, 302, 304, 622, SA-626, 647, 648, 664, 731.
439	Introduced by Daniels: A bill for an act entitled: "An act to make it the duty of the mayor of any city of the third class which does not have the police commission, upon the written request of a policeman employed by the city as such for ten years or more to appoint a police commission in accordance with section 11-1804, Revised Codes of Montana, 1947; providing for procedure as set forth in section 11-1806 Revised Codes of Montana, 1947; providing for an effective date; and repealing all acts and parts of acts in conflict herewith."	202, 375, 398, 454, 461, 483, 753, 815, 817, 818, 827.
440	Introduced by Broeder, Battin: A bill for an act entitled: "An act to require the State Highway Department and Commission of the State of Montana, in calling for bids on new highway construction, where the department or commission has discretion to specify in the plans and specifications where the highway right-of-way is to be fenced, that wooden fence posts be used in fencing said highway right-of-way; and repealing all acts or parts of acts in conflict herewith."	202, 265, 273, 297, 312, 326, 333, 577.
441	Introduced by Hawks, Wood: A bill for an act entitled: "An act to amend chapter 12 of title 23, Revised Codes of Montana, 1947, by adding thereto a new section providing for the conduct of elections under the provisions of sections 16-2202, 84-4706, 75-4505, 75-1723, 75-3801 and 75-3913, Revised Codes of Montana, 1947, and all other laws relative to elections concerning the issuance of bonds or debentures or the increasing of tax levies	

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	or the creation of debts, providing for the qualifications of voters at such elections, providing for the form of ballots at such elections, providing that three-fifths of the taxpayers and a majority of the real estate taxpayers must vote for such measures in order to adopt and approve the same; to amend chapter 3 of title 23, Revised Codes of Montana, 1947, by adding thereto a new section providing for the qualification of electors in elections involving bonds, debentures, debts and tax levies; to amend section 23-304, Revised Codes of Montana, 1947, to provide for listing of taxpayers and real estate taxpayers on the poll books; to amend sections 16-2202, 75-3804, 84-4706, 75-3913, 75-1723 and 75-4505; Revised Codes of Montana, 1947, to provide for the manner of conducting elections; repealing sections 16-2203, 84-4707, 84-84-4708, 84-4709, 84-4710, 75-3911, 75-3912 and 75-3914, all dealing with elections on bond or debenture issues and tax levies, repealing all acts and parts of acts in conflict herewith, and providing an effective date for this act.".....	202, 394, 397, 426, 502, 531, 532, 534, 615.
442	Introduced by Daniels: A bill for an act entitled: "An act authorizing and empowering the State Board of Examiners of the State of Montana to sell and convey certain lands situate in Powell County, Montana, described as the "Valiton Ranch" and the "Hog Ranch," said "Valiton Ranch" being more particularly described in instruments recorded in book 22, deed records of Powell County, Montana, at pages 42, 44 and 168: said "Hog Ranch" being more particularly described as section 16 in township 8 north, range 9 west, m.p.m., to the best interests of the State of Montana; providing for appraisal of said land; providing for notice of sale; providing costs of sale and expense incidental thereto to be paid out of the proceeds of the sale; and providing the net proceeds of the sale to go to the general fund; providing for an effective date and repealing all acts and parts of acts in conflict herewith.".....	202, 298, 338, 377, 383, 389, 576.
443	Introduced by Jardine, Sheehy, Cavan: A bill for an act entitled: "An act to amend section 94-6407, Revised Codes of Montana, 1947, relating to number of offenses which may be charged in one form in criminal procedures; providing that an indictment, information, complaint or accusation may charge two or more offenses under separate counts; providing for the consolidation of two or more indictments, informations, complaints, or accusations; providing that election by prosecution is unnecessary; providing that conviction may be had on any number of offenses charged; providing for a statement in verdict, and that the	

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	court may order trial of different offenses charged separately or in groups; providing for effect of acquittal on part of courts; and containing a repealing clause."	203, 299, 341, 377, 383, 390, 666.
444	Introduced by Elting: A bill for an act entitled: "An act providing that violation of the usury law is a crime and punishable as a misdemeanor; providing that the provisions of this act are in addition to, and not replacing the civil penalty provided in section 47-126 of the Revised Codes of Montana, 1947, and that, in the event of a violation, recourse may be had to this act as well as to said section 47-126; containing a repealing clause; and providing an effective date."	203, 402.
445	Introduced by Elting, Langston, Kvaalen: A bill for an act entitled: "An act to amend section 46-212 of the Revised Codes of Montana, 1947, relating to establishment of livestock disease control areas and the entry and compulsory inspection therein, to provide for change of area boundaries to school district rather than township boundaries; providing for legislative consent when executing the provisions of this act in cooperation with a department, bureau, branch or division of the United States government; providing exceptions; containing a repealing clause; and providing an effective date."	203, 443.
446	Introduced by Healy, Sheldon (Flathead), Barnard, Woodring: A bill for an act entitled: "An act to amend section 84-2202 of the Revised Codes of Montana, 1947, as amended by chapter 221, Montana Session Laws of 1957, relating to the amount of oil producers' license tax; and containing a repealing clause, and providing for an effective date."	203, 440.
447	Introduced by Higham, Abel, McGaffick: "A bill for an act to amend chapter 2 of title 68 of the Revised Codes of Montana, 1947, relating to creation of the public employees' retirement system and membership thereof by adding a new section to be known as section 68-204, providing for election to become members by Montana national guard employees within a fixed period of time and containing a repealing clause."	203, 260, 386.
448	Introduced by Casey, Barnard, Holding: A bill for an act entitled: "An act providing for a law to be known as section 68-802; providing that members of the public employees retirement system who are forced to retire at age sixty-five or over, having less than ten years service accumulated, be	

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	permitted to receive service retirement benefits; and providing a repealing clause.".....	203, 337, 361, 393, 394, 408, 709, SA-767, 815, 817, 818, 827.
449	Introduced by McGarvey (by request): A bill for an act entitled: "An act to amend section 75-3401 of the Revised Codes of Montana, 1947, relating to transportation furnished by boards of trustees of any school district or county high school; to provide for transportation of all pupils who have permission to attend school in another district and who reside one (1) or more miles distant from a public elementary or secondary school; and containing a repealing clause.".....	204, 354.
450	Introduced by McGarvey: A bill for an act entitled: "An act to amend section 71-210 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 72, of the Montana Session Laws of 1957, relating to authority and activities of the State Department of Public Welfare, to provide for its supervision over several state institutions named in the act; providing for excepting education programs from such supervision; and providing for an appointive executive assistant and other personnel to carry out the provisions of this act; and containing a repealing clause.".....	204, 359, 386, 458, 473, 502, 505, 654.
451	Introduced by Strnisha, Schwinden: A bill for an act entitled: "An act to amend sections 84-2601 and 84-2602 of the Revised Codes of Montana, 1947, as amended by chapter 213, Session Laws of 1957, relating to annual tax on gross income of telephone business and statement and payment of tax on gross income; providing a repealing clause and providing for an effective date.".....	204, 467.
452	Introduced by Sheldon (Flathead), Strnisha, Schwinden: A bill for an act entitled: "An act to amend section 84-1601 of the Revised Codes of Montana, 1947, as amended by chapter 214, laws of 1957, relating to the electrical energy producers' license tax.".....	204, 467.
453	Introduced by Harball, Daniels: A bill for an act entitled: "An act authorizing any department, board, bureau, commission, institution, or other instrumentality of the State of Montana to enter into group hospitalization, medical, health, accident, or life insurance contracts for the benefit of employees of such department, board, bureau, commission, institution or other instrumentality of the State of Montana and their dependents; limiting the contribution of the department, board, bureau, commission, institution, or other instrumentality of the State of Montana to five	

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	dollars (\$5.00) per month for each employee; and repealing all acts and parts of acts in conflict herewith."	204, 293.
454	Introduced by Strnisha, McGaffick, Battin: A bill for an act entitled: "An act to amend sections 66-2401, 66-2402, 66-2403 and 66-2411, relating to examination and licensing of master and journey-men plumbers; providing for the deletion from each of the said sections, the reference to 'in any incorporated city or town containing more than one thousand inhabitants', and requiring any person working at the business of plumbing in the State of Montana, either as a master plumber or as a journeyman plumber, to have a state license, and repealing all acts or parts of acts in conflict herewith, and providing for an effective date.".....	204, 294.
455	Introduced by Special Committee to Study Salaries of Administrative Heads: A bill for an act entitled: "An act to provide for salary schedules for various elected officials and administrative heads, whatever title they may have, of various boards, bureaus and commissions; making it unlawful to accept a subordinate position at an increased salary to avoid the intent of this act; defining the scope of salaries; when salary paid from several funds; repealing sections 25-501, 25-502, 25-503, and 25505 of the Revised Codes of Montana, 1947; and containing a repealing clause."	204, 250, 456, S-456, 460, 509, 515, 521, 525, 709, 740, 742, 794, 814, 822, 833, 834, 835.
Sub. 455	Introduced by the Committee on Appropriations. A bill for an act entitled: "An act to provide for salary schedules for various elected officials and administrative heads, whatever title they may have, of various boards, bureaus and commissions; making it unlawful to accept a subordinate position at an increased salary to avoid the intent of this act; defining the scope of salaries, but that such scope shall not limit certain longevity pay; repealing sections 25-501, 25-502, 25-503, and 25-505 of the Revised Codes of Montana, 1947; and containing a repealing clause."	456, 460, 509, 515, 521, 525, 709, 740, 742, 794, 814, 822, 833, 834, 835.
456	Introduced by Special Committee to Study Salaries of Administrative Heads: A bill for an act entitled: "An act to amend sections 59-901 and 59-902, Revised Codes of Montana, 1947, placing upon the Governor the duty to fix and designate the number, compensation, term and tenure of all	

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	state employees; containing a repealing clause; and providing an effective date."	205, 362.
457	Introduced by Wood, Schwinden, Gilfeather: A bill for an act entitled: "An act to amend section 84-2202, Revised Codes of Montana, 1947, as amended by chapter 221, session laws of 1957, relating to the amount of oil producers license tax, containing a repealing clause and providing for an effective date."	205, 440.
458	Introduced by Wood, Schwinden, Gilfeather: A bill for an act entitled: "An act to amend section 84-1302, Revised Codes of Montana, 1947, relating to coal mines license tax and certain exceptions, providing an effective date and repealing all acts and parts of acts in conflict herewith."	205, 402, 458, 473.
459	Introduced by Gilfeather, Schwinden: A bill for an act entitled: "An act to amend section 84-2004, Revised Codes of Montana as amended by chapter 220, Session Laws of 1957, relating to metaliferous mines license tax, providing for an effective date and repealing all acts and parts of acts in conflict herewith."	205, 456, 509, 521, 522, 654, 722, 733.
460	Introduced by McGarvey, Schwinden, Wood: A bill for an act to amend sections 84-4901, 84-4902, as amended by chapter 228, laws of 1957, 84-4903, 84-4905, 84-4906, 84-4910, as amended by chapter 233, laws of 1957, 84-4911, 84-4914, as amended by chapter 227, laws of 1957, 84-4915, 84-4920.1, 84-4937, 84-4938, 84-4942, 84-4954, replacement volume 5, Revised Codes of Montana, 1947, all relating to state individual income taxes and withholding of individual income tax, repealing sections 84-4907, 84-4908, 84-4909, replacement volume 5, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith and providing an effective date."	205, 440, 509, 514, 521, 523, 709, 723, SA-726, 794, 795, 810.
461	Introduced by Parker, Reeder: A bill for an act entitled: "An act to amend section 91-4406 of the Revised Codes of Montana, 1947, relating to inheritance tax upon insurance payable upon the death of decedents, providing for exemption, providing for an effective date, and repealing all acts and parts of acts in conflict herewith."	205, 381, 399, 454.
462	Introduced by McGarvey, Harball, Strnisha, Shelden: A bill for an act entitled: "An act to amend section 84-2102 (2408.2) of the Revised Codes of Montana, 1947, as amended by chapter 205, laws of 1957, relating to natural gas distributors' license tax; fixing the amount of such license tax	

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	and prescribing the method for the assessment thereof; and providing a repealing clause.”.....	205, 467.
463	Introduced by Battin, Cavan: A bill for an act entitled: “An act providing for the levy of a tax for fire departments in cities of the first class with a population of 30,000 or over; and repealing all acts or parts of acts in conflict therewith; and providing an effective date.”	205, 467, 509, 531.
464	Introduced by Battin, Cavan: A bill for an act entitled: “An act to amend section 84-4701 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 192, of the Montana Session Laws of 1951, relating to the limitation of tax levy for general municipal or administrative purposes in cities and towns, distribution of the funds and the limitation on the amount of tax levy for parks, swimming pools, skating rinks, playgrounds, civic centers and youth centers, to provide for lowering the limitation on the tax levy for general or administrative purposes from two (2%) per centum for all cities a population of thirty thousand (30,000) or over to one and one-eighth (1½%) per centum; containing a repealing clause; and providing an effective date.”.....	205, 467, 509, 531.
465	Introduced by Cavan: A bill for an act entitled: “An act to amend section 16-2420 of the Revised Codes of Montana, 1947, relating to county commissioners designating class of county, to provide for said county commissioners to so classify their respective counties for the year 1959 and each two (2) years thereafter; and containing a repealing clause.”	206, 509, 531, 532, 535, 615.
466	Introduced by McGaffick: A bill for an act entitled: “An act to amend section 77-1304 (a) of the Revised Codes of Montana, 1947, as amended, pertaining to the duties of the director of the state civil defense agency; to provide for an increase in the salary limitation of such director to seven thousand five hundred dollars (\$7,500.00) per year.”	206, 429.
467	Introduced by McGaffick: A bill for an act entitled “An act to amend section 4-108 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 255 of the Montana Session Laws of 1957, relating to salaries and wages of liquor board employees, to provide for an increase in the ceiling for other employees; containing a repealing clause and providing an effective date.”.....	206, 429.
468	Introduced by McGaffick: A bill for an act entitled: “An act to amend section 82-1011 (218), Revised Codes of Montana, 1947, as amended by chapter 98 of the Session Laws of the Thirty-third Legis-	

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	lative Assembly of the State of Montana, 1953, relating to salary and expenses of the state examiner; providing an effective date; repealing all acts and parts of acts in conflict herewith.".....	206, 429.
469	Introduced by Cavan, Felt: A bill for an act entitled: "An act to provide for registration or transfer of securities to or by fiduciaries or their nominees; to provide that the transferring agent is not bound to inquire whether the fiduciary or nominee is committing a breach of the fiduciary relationship."	206, 394, 437, 461, 462, 484, 654, 694, 695, 722, 791.
470	Introduced by Leuthold: A bill for an act entitled: "An act to require the commissioner of state lands and investments to advertise in official county newspaper state agricultural and grazing lands available for leasing; to provide that said advertisement shall be in some section other than the legal advertisement section; and to provide for a repealing clause."	206, 381.
471	Introduced by Devier, Daniels, Tonner, Bradford, Mernin, Woodring, Rindy: A bill for an act entitled. "An act to amend section 81-1207 of the Revised Codes of Montana, 1947, relating to term of oil lease and review of said leases every ten years, and to amend section 81-1715 of the Revised Codes of Montana, 1947, relating to bidding on oil leases that have expired and method of bidding; and repealing section 81-1708 of the Revised Codes of Montana, 1947; repealing all acts and parts of acts in conflict herewith."	206, 362, S-362, 363, 364, 365, 424, 461, 462, 484, 675.
Sub. 471	Introduced by the Committee on Oil and Gas: A bill for an act entitled: "An act to amend section 81-1715, Revised Codes of Montana, 1947, relating to the advertising for bids on re-leasing of producing oil or gas land, to provide for notification to the holder of such expiring lease and to provide that the lessee shall have the privilege of re-leasing the same at the highest responsible bid offered therefor and providing further for the amount of royalty and rentals to be paid under such lease and permitting the land board to require bidding on a royalty basis; repealing section 81-1708, Revised Codes of Montana, 1947, which provides for exchange of existing leases and repealing all acts and parts of acts in conflict herewith."	362, 363, 364, 365, 424, 461, 462, 484, 675.
472	Introduced by Devier, Woodring, Bradford, Walton, Glancy, Tonner, Rindy, Mernin, Daniels, Fladager:	

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	A bill for an act entitled: "An act to amend section 81-1702.2 of the Revised Codes of Montana, 1947, as enacted by section 2, chapter 161 of the Montana Session Laws of 1955, relating to power to terminate oil leases, to provide the board of land commissioners with power to terminate leases under circumstances of delay in drilling or nonpayment of delayed drilling penalty; and containing a repealing clause."	207, 362, 383, 413, 424, 448, 675.
473	Introduced by Wood (by request): A bill for an act entitled: "An act to amend section 27-403 of the Revised Codes of Montana of 1947, relating to definitions of words and terms used in the Montana milk control law, by specifying milk and the fluid products of milk, that any one selling milk under his own or any other's brand or label be considered a distributor, defining a market, providing that grade A milk be defined; section 27-405 of the Revised Codes of Montana, 1947, relating to the general powers of the milk control board, by providing the milk control board shall have the power to take depositions at its offices, agents of the board may call and give notice of price hearings when the board is not in session, and the method whereby subpoenas issued by the board may be enforced by District Courts, section 27-409 of the Revised Codes of Montana of 1947, relating to license fee of two dollars and fifty cents (\$2.50) and, in addition thereto, an annual assessment upon producer-distributors, and distributors to be made by the milk control board for the purpose of enforcing and administering this act; section 27-412 of the Revised Codes of Montana of 1947 relating to penalties for delinquency of fees and assessments; section 27-416 of the Revised Codes of Montana of 1947 relating to the disposition of license fees and fines and other funds; section 27-424, Revised Codes of Montana of 1947, relating to the enjoining of parties to a price war and the filing of a bond to insure compliance; relating to the transfer of assets; repealing all acts or parts of acts in conflict herewith; providing that this act shall be in full force and effect immediately upon its passage and approval."	207, 462.
474	Introduced by Picard, Healy, Lees, Wood, Wayrynen, Wold, McGaffick, Strnisha, Battin, Cavan: A bill for an act entitled: "An act to allow residents and domestic corporations of the State of Montana a preference of five per centum in the awarding of public contracts by the State of Montana, or any county, city, town, school district, high school district, or other public corporation, defining "resident"; providing for an effective date; and repealing all acts and parts of acts in conflict herewith."	207, 414, 461, 501, 502, 507.

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475	Introduced by Picard, Healy, Lees, Wood, Wayrynen, Wold, McGaffick, Strnisha: A bill for an act entitled: "An act providing that whenever a contract is let by the state or any county, city, town, school district, high school district, or other public corporation, department or commission of the state for the erection, construction, alteration, or repairing of any public building or other public structure or for making any additions thereto, or for any public work or improvements including highways, such contract shall be let, if advertisement for bids is not required, to a resident of the State of Montana, and to provide that where advertisement for bids is required the contract shall be let to the respective resident of the State of Montana making the lowest bid, if such resident's bid is not more than five (5) per cent higher than that of the lowest responsible non-resident bidder; defining a resident contractor and providing that resident contractor shall not subcontract more than twenty (20) per cent of the work covered by his contract to any non-resident contractor and providing that the operation of this act upon the letting of any public works contract as heretofore set forth, in connection with funds granted or advanced by the United States of America shall be subject to the effect, if any, of related laws of the United States and valid rules and regulations of federal agencies in charge, governing use and payment of such federal funds and providing for effective date of act; repealing all acts and parts of acts in conflict herewith."	207, 414, 474, 501.
476	Introduced by Kiff, Howard, Walton: A bill for an act entitled: "An act to amend section 75-4601 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 67 of the laws of 1957, relating to participation of additional elected members of boards of trustees of district maintaining high schools, to provide that said additional members shall be entitled to vote on the selection of the district superintendent of schools."	208, 363, 383, 413, 424, 449, 474, 654, 722, 733.
477	Introduced by Kiff, Cavan, Howard, Walton: A bill for an act entitled: "An act to amend section 75-4601, Revised Codes of Montana, 1947, replacement volume four, as amended by section 2 of chapter 67, Session Laws of Montana, 1957, relating to designation of boards of trustees of county high schools and boards of trustees of any school districts maintaining district high schools as board of trustees of the respective high school districts; election and terms of additional trustees; division of taxable valuation of districts and authorization of trustees to undertake public works program upon resolution or petition; providing a repealing clause; and providing an effective date."	208, 363.

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478	Introduced by Babcock, Gerard, Glead, Anderson, Felt: A bill for an act entitled: "An act to amend section 84-1501, Revised Codes of Montana, 1947, as amended by section 1 of chapter 232, Laws of Montana, 1957; providing for the separation of that section into two sections; eliminating the exemption granted certain cooperative corporations from the payment of Montana corporation license tax; providing for the submission of this act to the qualified electors of the State of Montana at the general election to be held in November, 1960; describing the form of ballots to be used and the duties of the secretary of state of the State of Montana relative to the submission of this act to the qualified electors of said state; providing when this act shall become effective; and repealing all acts and parts of acts in conflict with this act upon the approval of this act by a majority of the qualified electors voting thereon, and upon proclamation of the Governor."	208, 268, 455, 502, 531.
479	Introduced by Anderson, McGaffick: A bill for an act entitled: "An act to amend Chapter 18, title of the Revised Codes of Montana, 1947, by adding thereto a new section to be numbered 84-1802.1, and providing for the payment or the credit and setoff of the tax upon gasoline in storage on the date of increase or decrease in the rate of tax imposed on gasoline; and containing a repealing clause."	208, 225, 381, 437, 461, 462, 484, 708, 728, 733.
480	Introduced by McGarvey, Paulsen : A bill for an act entitled: "An act to amend section 87-148 of the Revised Codes of Montana, 1947, as amended by chapter 171, Laws of Montana, 1957; excluding from the term employment, as defined by the unemployment compensation law, services performed by certain real estate and insurance salesmen; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	208, 384, 474, 497, 502, 505, 630, 631, 632, 708, 758, 759, 783.
481	Introduced by Anderson, Felt, Cavan: A bill for an act entitled: "An act to amend section 84-2202 of the Revised Codes of Montana, 1947, relating to the amount of oil producers' license tax and reducing the amount thereof; and containing a repealing clause."	208, 443.
482	Introduced by Felt: A bill for an act entitled: "An act to repeal section 82-409 of the Revised Codes of Montana, 1947, fixing the duties of attorney general in reference to escheated estates; to amend section 91-509 of the Revised Codes of Montana,	

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	1947, providing for service of complaint and summons on the state treasurer and State Board of Equalization to amend section 91-512 of the Revised Codes of Montana, 1947, as amended by chapter 193, Laws of Montana of 1953, to provide that the State Board of Equalization shall have the duty to investigate and determine whether there is property in the State of Montana which should escheat to the State of Montana, to employ counsel and take all steps necessary to secure such escheat; to amend section 91-515 of the Revised Codes of Montana, 1947, relating to the manner of commencing proceedings relative to escheated estates and providing that the State Board of Equalization shall file the petition for such purpose; to amend section 91-516 of the Revised Codes of Montana, 1947, relative to appointment of receiver of rents and profits and providing that the State Board of Equalization make application for appointment of such receiver; to amend section 91-517 of the Revised Codes of Montana, 1947, relating to appearance, pleadings and trial in escheated proceedings and providing for appearance by attorney representing State Board of Equalization; to amend section 91-518 of the Revised Codes of Montana, 1947, relating to proceedings by persons claiming escheated estates, and providing for service of petition to be made upon State Board of Equalization; and providing a repealing clause."	208, 426.
483	Introduced by Felt, Anderson, Gerard, Elting, Howard, Tonner: A bill for an act entitled: "An act to create a commission or group composed of four members of the Senate and four members of the House of Representatives to be appointed by the Governor, with an equal representation of each political party on such commission, to make a comprehensive study of the University of Montana, with particular reference to the fiscal policies, curricula, and the qualifications of the faculty; appropriating funds for the expense thereof and providing an effective date for this act."	209, 463, 642.
484	Introduced by Anderson: A bill for an act entitled: "An act to amend section 84-2202 of the Revised Codes of Montana, 1947, as amended by chapter 221 of the Laws of Montana, 1957, relating to the amount of the oil producer's license tax, and providing a revised formula for the computation of the rates of such tax."	209, 463, 509, 531, 532, 534, 708, 754, 755, 783.
485	Introduced by Felt, Eskildsen: A bill for an act entitled: "An act to provide for a license tax of not to exceed one (1) cent per game for every game of bowling accomplished within the State of Montana; to provide that said license tax shall be paid by the 'title owners of bowling alleys' as	

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	defined in this act; to prescribe the duties of 'title owners of bowling alleys'; 'bowling alley operators', and the State Board of Equalization; to provide for collection procedures and to prescribe penalties for violation of this act; to provide that all acts or parts of acts inconsistent herewith are hereby repealed."	209, 361.
486	Introduced by Jardine: A bill for an act entitled: "An act to amend section 11-614 of the Revised Codes of Montana, 1947, relating to the platting, surveying and certification of small and irregularly shaped tracts before sale, to delete certain restrictions on recording deeds of the same; and containing a repealing clause."	209, 426.
487	Introduced by Devier, Wood, Daniels, Walton: A bill for an act entitled: "An act to amend section 3-1709 of the Revised Codes of Montana, 1947, relating to reports of analyses of commercial fertilizers, expenses and how paid, to provide that five per cent (5%) of the fees collected thereunder be placed in the general fund and ninety-five per cent (95%) be placed in a fund to defray expenses for administration and enforcement of the Montana fertilizer law; providing that five per cent (5%) of the balance in the present fund as of July 1, 1959, be placed in the general fund and ninety-five per cent (95%) thereof to remain in the fund for the continued administration and enforcement of the provisions of the Montana fertilizer law; and containing a repealing clause."	209, 235, 278, 283, 554, 555, SA-556 568, 569, 578, 619.
488	Introduced by Loughran: A bill for an act entitled: "An act to amend section 84-4117 of the Revised Codes of Montana, 1947, relating to notice of tax sales, to provide for mailing notice to taxpayer whose property is on the delinquent list; providing for time of such notice; containing a repealing clause and providing an effective date."	210, 402.
489	Introduced by Devier, Wood, Daniels: A bill for an act entitled: "An act to amend section 3-2004 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 42 of the Montana Session Laws of 1951 relating to fees payable for registered brands or formula of commercial feeds and the disposition thereof, to provide that five per cent (5%) of such fees be placed in the general fund, and that ninety-five per cent (95%) of such fees be placed in the fund used for the purposes specified herein and disposed of in accordance with the terms of this act; providing that five per cent (5%) of the balance in said fund as of July 1, 1959, be placed in the general fund; and containing a repealing clause."	210, 274, 347, 378, 413, 424, 450, 662, 733.

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490	Introduced by Cerovski, Haines (Missoula): A bill for an act entitled: "An act to amend section 69-103 of the Revised Codes of Montana, 1947, revising the qualifications of the executive officer of the Board of Health; eliminating the necessity of a contract; eliminating the merit system of compensation for subordinate personnel; and containing a repealing clause."	210, 402, 461, 501, 507, 508, 620.
491	Introduced by Clowes, Battin, Cavan: A bill for an act entitled: "An act to be numbered as section 87-148.1 Revised Codes of Montana and providing that real estate brokers and real estate salesmen shall not be deemed to be covered by this act and shall not be entitled to unemployment compensation payments under this act; repealing all acts or parts of acts in conflict herewith; and providing that this act shall be effective from and after its passage and approval."	211, 403, 437, 461, 462, 485.
492	Introduced by Cavan (by request): A bill for an act entitled: "An act to amend section 32-2143, Revised Codes of Montana, 1947, relating to reckless driving; defining and providing that every city or town in this state may enact this act as an ordinance; containing a repealing clause."	211, 255.
493	Introduced by Tonner, Broeder: A bill for an act entitled: "An act to amend section 84-1802 of the Revised Codes of Montana, 1947, as amended by section 2 of chapter 17, Laws of Montana, 1955, to amend section 84-1805, Revised Codes of Montana, 1947, to amend section 84-1809, Revised Codes of Montana, 1947; to amend section 84-1818, Revised Codes of Montana, 1947, as amended by section 1 of chapter 212, Laws of Montana, 1955; to amend section 84-1819, Laws of Montana, 1947, all relating to the tax and collection thereof on gasoline; providing for licenses and permits for users and dealers of gasoline; providing for the handling of fuels consumed in non-highway uses; providing procedure for obtaining deduction in purchase price by users of non-highway use gasoline; providing for enforcement and penalties; repealing all acts and parts of acts in conflict herewith."	211, 265.
494	Introduced by MacDonald, Cerovski: A bill for an act entitled: "An act to carry out the constitutional mandate in section 11 of article XI and in sections 1, 3, 4, and 7 of article VII of the Constitution of the State of Montana establishing a board of regents to exercise general control and supervision of the State University and a board of education to exercise general control and supervision of the various other state educational institutions; providing for the powers and duties	

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	of such boards; providing for the appointment of the president of the State University; providing for the appointment of the superintendent of public instruction; repealing all provisions of law inconsistent herewith; providing for an effective date."	211, 294, 339, 464, S-464, 471, 509, 514, 521, 524.
Sub. 494	Introduced by the Committee on Education: A bill for an act entitled: "An act to carry out the constitutional mandate in section 11 of article XI of the Constitution of the State of Montana establishing a board of regents to exercise general control and supervision of the State University; to amend section 10-112 of the Revised Codes of Montana, 1947, relating to state institutions to provide for notice of selection of students to be given to the board of regents; to amend sections 28-301, 28-302, 28-303, and 28-304, of the Revised Codes of Montana, 1947, relating to forestry experiment stations; to provide that such stations shall be under the direction of the board of regents; to amend section 59-1111 of the Revised Codes of Montana, 1947, relating to social security coverage; to provide for supervision by the board of regents; to amend section 66-1803 of the Revised Codes of Montana, 1947, relating to public accountants; to provide for the appointment of the board of examiners in accountancy by the board of regents; to amend sections 75-106, 75-107, and 75-108 of the Revised Codes of Montana, 1947, relating to expenses and powers and duties of the state board of education; to provide for deletion of expenses, powers and duties allocated by this act to the board of regents; to amend sections 75-201 and 75-203 of the Revised Codes of Montana, 1947, relating to authorized building at the various institutions by the state board of education; to provide for transferring said authorization and powers to the board of regents; to amend sections 75-301, 75-302, and 75-303 of the Revised Codes of Montana, 1947, relating to general control of executive boards of state institutions; to provide for the deletion of institutions herein delegated to the control of the board of regents; to amend sections 75-401 and 75-403 of the Revised Codes of Montana, 1947, relating to units constituting the University of Montana; to provide for the legal names of each unit and control of such vesting in the board of regents; repealing sections 75-402, 75-402.1 and 75-403.1 of the Revised Codes of Montana, 1947, relating to legal names of units of the university, changes in names of units, and office of chancellor; to amend sections 75-404, 75-405 and 75-406 of the Revised Codes of Montana, 1947, relating to diplomas and degrees, powers and duties of board of regents and the seal of the university; to provide	

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	for placing of the execution of such in the board of regents; repealing section 75-407 of the Revised Codes of Montana, 1947, relating to local executive boards of the various units; providing for local executive boards, their creation, residence, powers and officers, including treasurer's bond, their term of office, meetings, compensation, reports, vacancies, expenditures and acceptance of donations and gifts; to amend section 75-408 and section 75-410 of the Revised Codes of Montana, 1947, relating to powers and duties of the chief executive officers of the several institutions and the refunding of fares to students; to provide for changes of name from president to chief executive officer and vesting duties in the board of regents; to amend sections 75-501, 75-502, 75-503, 75-504, 75-505, 75-506, 75-506.1, 75-507, 75-508, 75-512 and 75-515 relating to the Montana State University, its officers, departments, courses, qualifications of students, tuition, professorships, appropriations and powers of the board of regents; to provide for the deletion of powers from the state board of education and vesting such in board of regents; to amend sections 75-602, 75-603, 75-604, 75-605, 75-606, 75-607, 75-608, and 75-609 of the Revised Codes of Montana, 1947, relating to the Montana School of Mines, its control, management, rules and regulations; to provide for vesting such in the board of regents in place of the state board of education; to amend sections 75-701, 75-702, 75-703, 75-704, 75-708, 75-709, 75-717, 75-735 and 75-737 of the Revised Codes of Montana, 1947, relating to the Montana State College, its control, management, objects, rules and regulations; to provide for the control and management of such to be in the board of regents rather than the state board of education; to amend sections 75-901, 75-902 and 75-903 of the Revised Codes of Montana, 1947, relating to the Northern Montana College, its control, supervision, subjects for instruction and establishment of agricultural experimental station; to provide that general control and supervision shall be vested in the board of regents rather than in the state board of education; repealing sections 75-906 and 75-907 of the Revised Codes of Montana, 1947, relating to the appointment of principal, faculty, secretary and treasurer of the Northern Montana College; to amend sections 75-1003 and 75-1006 of the Revised Codes of Montana, 1947, relating to Western Montana College of Education, its control and management; to provide for the control and management to be vested in the board of regents in place of the state board of education; to amend sections 75-1103 and 75-1104 of the Revised Codes of Montana, 1947, relating to the Eastern Montana College of Education; to provide for the control of such to be under the board of regents in place of the state board of education; to amend	

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	section 75-1309 of the Revised Codes of Montana, 1947, relating to the biennial report of the superintendent of public instruction to provide for the deletion from said report the matters referring to the units of the University of Montana and other academies and colleges; to amend section 75-2015 of the Revised Codes of Montana, 1947, relating to type of conservation courses; to provide for the board of regents to determine the same for units of the University of Montana; to amend section 75-2501 of the Revised Codes of Montana, 1947, relating to teachers, examination and certificates to provide for regulation of the same for units of the University of Montana; providing for teacher training at units of the University of Montana; to amend sections 77-909, 77-910 and 77-911 of the Revised Codes of Montana, 1947, relating to war orphans attendance at units of the University of Montana; to provide for the management of such program by the board of regents in place of the state board of education; containing a severability clause and repealing clause and providing for an effective date."	464, 471, 509, 514, 521, 524.
495	Introduced by Holtz, Curry, Gilfeather: A bill for an act entitled: "An act to amend section 11-1925, Revised Codes of Montana, 1947, as amended by chapter 194, Montana Session Laws of 1949, relating to pensions to retired firemen; providing for service retirement after 20 years; providing for limited incentive incremental retirement pay; repealing conflicting acts."	211.
496	Introduced by Cavan (by request): A bill for an act entitled: "An act to amend section 32-2144 of the Revised Codes of Montana, 1947, as enacted by section 41, chapter 263, of the Montana Session Laws of 1955, relating to speed restrictions, to provide for a speed of thirty-five (35) miles per hour in urban districts and warning signs; providing for vehicles entering highway to yield right-of-way to cars on highway; to amend section 32-2150 of the Revised Codes of Montana, 1947, as enacted by section 47, chapter 263 of the Montana Session Laws of 1955, relating to charging violations, to provide for prima facie evidence under certain circumstances; repealing sections 32-2145, 32-2146, 32-2147, 32-2148 and 32-2149 of the Revised Codes of Montana, 1947, as enacted by chapter 263 of the Montana Session Laws of 1955; and containing a repealing clause."	211, 255.
497	Introduced by Cavan (by request): A bill for an act entitled: "An act to amend section 32-2142 (2) of the Revised Codes of Montana, 1947, as amended by section 1, chapter 194 of the Montana Session Laws of 1957, relating to driving while under the influence of intoxicating liquor, to pro-	

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	vide for a change of punishment for the violation of such; to repeal section 32-2142 of the Revised Codes of Montana, 1947; and containing a repealing clause."	212, 255.
498	Introduced by Gilfeather (by request): A bill for an act entitled: "An act to amend section 92-704 of the Revised Codes of Montana, 1947, as amended by section 3, chapter 234, of the Montana Session Laws of 1957, relating to compensation for injuries to workmen for injury causing death; relating to lump sum payments by increasing the amount thereof; providing for payment of lump sum to additional persons."	212, 386.
499	Introduced by McGarvey: A bill for an act entitled: "An act prohibiting the issuance of further retail liquor and/or beer licenses by the Montana Liquor Control Board; providing for the construction of this act; and repealing all acts and parts of acts in conflict herewith."	212, 354.
500	Introduced by MacDonald, Ceroyski: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana amendments to sections 1, 3, 4, and 7 of article VII, and to section 11, article XI of the Constitution of the State of Montana relating to the general control and supervision of the State University and the various other state educational institutions; providing for the establishment of a board of education consisting of seven members to be appointed by the Governor, subject to confirmation by the Senate; providing that the general control and supervision of state educational institutions other than the State University shall be vested in the Board of Education under regulations and restrictions to be provided by law; providing for the establishment of a board of regents consisting of seven members to be appointed by the Governor, subject to confirmation by the Senate; providing that the general control and supervision of the State University shall be vested in the board of regents under regulations and restrictions to be provided by law; providing for the appointment of the president of the State University; providing for the appointment of the Superintendent of Public Instruction; providing for a committee of recommendations; providing an effective date."	212, 397.
501	Introduced by Gilfeather (by request), Barnard: A bill for an act entitled: "An act to amend section 46-212 of the Revised Codes of Montana, 1947, relating to the establishment of township disease control areas by providing for the creation of county disease control areas; containing a repealing clause and an effective date of this act."	212, 267, 443, 509, 515, 521, 522.

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502	Introduced by Gilfeather (by request), Barnard: A bill for an act entitled: "An act to declare valid and legal the creation and establishment of townships as disease control areas for the inspection, testing, treatment, or vaccination of livestock, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto, and containing an effective date.".....	212, 268, 443, 444, 466, 509, 514, 520, 526, 530.
503	Introduced by Battin, Emmons: A bill for an act entitled: "An act to amend section 25-604, Revised Codes of Montana, 1947, pertaining to the powers of county commissioners to fix the number and salaries of deputies by authorizing one chief deputy and not less than one deputy county attorney in all counties having eight thousand five hundred (8,5000) or more registered voters; containing a repealing clause and effective date.".....	212, 308.
504	Introduced by Wayrynen, Sheehy, Wold, Picard, Shea: A bill for an act entitled: "An act to amend sections 4-303 and 4-414 of the Revised Codes of Montana, 1947, relating to the hours for sale of beer and liquor in establishments licensed to sell beer and liquor at retail, to provide that establishments licensed to sell beer and liquor at retail shall be closed on any days of a biennial general or primary election at which state and national officers are elected, during the hours when the polls are open, but not upon the day of any other election; repealing all acts and parts of acts in conflict herewith; and providing for an effective date.".....	213, 417, 474, 497, 502, 506, 654, 711, 712, 733.
505	Introduced by MacDonald (by request): A bill for an act entitled: "An act to amend section 84-4902 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 228, of the Montana Session Laws of 1957, relating to rate of income tax; providing the rate of tax on net income and the surtax rates on the net income so taxable; containing a repealing clause and containing an effective date.".....	213, 443.
506	Introduced by Wood, Gill, Barrett, Harball: A bill for an act entitled: "An act providing for a license tax on organizations, associations or entities providing television cable service to customers, or consumers, or members of receiver installations; providing for an annual license tax of ten (\$10.00) dollars per customer, consumer, or member receiver installation; providing for the first tax to be due and payable by July 31, 1959, and every year thereafter to the State Board of Equalization of the State of Montana; providing	

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	that said board shall prescribe the forms and the license to be used under this act; providing for the revocation of license for nonpayment of tax; providing for an effective date of this act; and providing for a repealing clause.".....	213, 499.
507	Introduced by MacDonald (by request): A bill for an act entitled: "An act providing for an annual license or franchise tax on corporations, measured by or according to net income; defining the term corporation and certain other words and terms used in this act; providing for the imposition of the tax and fixing the rate for computing the tax; exempting certain corporations and providing for information returns from certain corporations; providing a minimum tax in any event of fifty dollars (\$50.00); defining gross income; excluding certain items from gross income; providing for the computation of net income and specifying deductions allowable for determining net income; specifying the deductions not allowable in computing net income; providing for the allocation of income of corporations attributable to sources both within and without this state; providing the basis for installment sales and the taxation of net income from such sales; providing for corporate distributions; providing for determination of gain or loss and recognition of gain or loss and basis for determining gain or loss; providing basis for depreciation and depletion; providing for filing returns and payment of tax; providing for determination of tax liability; providing for civil actions to recover taxes paid; providing for interest and penalties on delinquent payment or non-payment of tax; providing certain other penalties; including criminal penalties, for failure to comply with other provisions of this act; authorizing State Board of Equalization to make a correct or proper return when taxpayer fails or refuses to file a return or files a false or fraudulent return; providing for jeopardy assessment in certain cases; providing limitations for assessment of tax and filing for refunds; establishing a corporation license tax refund account; providing for methods of enforcing collection of taxes due hereunder; providing for suspension and forfeiture of corporate powers for failure to comply with this act, and reviver after suspension or forfeiture; providing for consolidated returns and procedure in case of; requiring return and payment of tax on dissolution or cessation of business; providing generally for forms to be used and powers of State Board of Equalization and rules and regulations to be prescribed by said board; requiring preservation of records by corporations and making them available on demand by the State Board of Equalization; providing that certificates of the State Board of Equalization shall constitute prima facie evidence of the facts therein stated; provid-	

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	ing reciprocity with federal and other states' revenue officers regarding returns; providing the returns required to be filed and any amendments, substitutions, additions and corrections be public records subject to inspection only under rules and regulations to be prescribed by the State Board of Equalization; providing a saving clause; repealing sections 84-1501 to 84-1519, both inclusive, of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith; and providing for the effective date of this act.".....	213, 457.
508	Introduced by Page (Missoula), Howard, McGarvey: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 9, article XIX of the Constitution of the State of Montana, relating to constitutional amendments, to provide that seven amendments may be submitted at the same election; and containing a repealing clause.".....	214, 260.
509	Introduced by Parker, Aasheim, Reeder, Glead, Shelden (Lincoln), Leuthold, Page (Missoula), Haines (Missoula), Howard, Holtz, Raundal, Devier, Kvaalen: A bill for an act entitled: "An act to submit to the vote of the people a measure to authorize the State of Montana to become indebted in the sum of twelve million dollars (\$12,000,000.00) in excess of the constitutional limitation of indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction and equipping of necessary buildings, other permanent improvements, acquisition of necessary grounds therefor over a maximum period of twenty years in and about the University of Montana, consisting of the six units thereof now existing, namely the Montana State University at Missoula, Montana State College at Bozeman, Montana School of Mines at Butte, Western Montana College of Education at Dillon, Eastern Montana College of Education at Billings, and the Northern Montana College at Havre as well as the experiment stations for agriculture, engineering, forestry, and mining, and the agricultural extension service; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness, and for the sale thereof; prescribing the form of such bonds and for a levy of an annual tax sufficient to pay the principal thereof, and the interest accruing thereon, providing for a referendum of this act, describing the form of ballots to be used and the duties of the secretary of state of Montana relative to the submission of this act to the qualified electors of the state, and providing when this act shall take effect.".....	214, 474, S-474, 475, 509, 515.
Sub. 509	Introduced by the Committee on Education: A bill for an act entitled: "An act to submit to the vote	

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	of the people a measure to authorize the State of Montana to become indebted in the sum of twelve million five hundred thousand dollars (\$12,500,000.00) in excess of the constitutional limitation of indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction and equipping of necessary buildings, other permanent improvements and acquisition of necessary grounds therefor over a maximum period of twenty years in and about the University of Montana, consisting of the six units thereof now existing, namely, the Montana State University at Missoula, Montana State College at Bozeman, Montana School of Mines at Butte, Western Montana College of Education at Dillon, Eastern Montana College of Education at Billings, and the Northern Montana College at Havre as well as the experiment stations for agriculture, engineering, forestry, and mining, and the agricultural extension service; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness, and for the sale thereof, prescribing the form of such bonds and directing that the Legislative Assembly shall allocate the money received from such bonds among said units, providing for a levy of an annual tax in excess of that now provided by the constitution for state purposes to pay the principal thereof and the interest accruing thereon, providing for a referendum of this act, describing the form of ballots to be used and the duties of the secretary of state of Montana relative to the submission of this act to the qualified electors of the state, and providing when this act shall take effect."	474, 475, 509, 515.
510	Introduced by Tonner (by request): A bill for an act entitled: "An act relating to instruments and conveyances filed prior to January 1, 1935; providing for a presumption of identity in instruments wherein minor discrepancies, initials or abbreviations are used and surnames are written or sound the same."	214, 285, 298, 335, 339.
511	Introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to amend section 82-1507, Revised Codes of Montana, 1947, by increasing the reserve fund."	214, 328, 354, 393, 394, 408, 662, 711, 712, 733.
512	Introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to amend section 26-121 of the Revised Codes of the State of Montana, 1947, as amended by chapter 59, laws of 1927; chapter 53, laws of 1933, and chapter 114, laws of 1945,	

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	relating to the state fish and game fund; providing that only sums collected or received from the sale of hunting or fishing licenses or permits shall be placed in the fish and game fund; providing that appropriations to the state purchasing agent and state auditor may be made from the fish and game fund for administrative work done for the fish and game commission.".....	214, 426.
513	Introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to amend section 26-103 of the Revised Codes of the State of Montana, 1947, as amended by chapter 77, laws of 1923; chapter 192, laws of 1925 and chapter 114, laws of 1945, relating to meetings of the Fish and Game Commission and the office space provided therefore; providing that the Board of Examiners shall fix a rental charge to be paid quarterly into the general fund from the fish and game fund.".....	215, 426.
514	Introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to abolish the Montana Poultry Improvement Board; to provide for the transfer of all powers previously granted to the Montana Poultry Improvement Board to the Livestock Sanitary Board; to prescribe the duties and powers of the Livestock Sanitary Board; to amend sections 3-2202, 3-2204, 3-2205, 3-2207, 3-2209, and 3-2211 of the Revised Codes of Montana, 1947; to repeal sections 3-2201 and 3-2203 of the Revised Codes of Montana, 1947, and all other acts and parts of acts in conflict herewith; and to provide for an effective date of this act.".....	215, 328.
515	Introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to remove the Montana State School for the Deaf and Blind from the control of the Board of Education and to place the Montana State School for the Deaf and Blind under the general supervision and control of the Superintendent of Public Instruction; to amend sections 80-102, 80-104, 80-107, 80-111, 80-114, 80-118, 80-123, 75-301 and 75-1302 of the Revised Codes of Montana, 1947, to repeal section 80-101 of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith.".....	215, 386.
516	Introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to provide for the repeal of sections 82-1401, 82-1402, 82-1403, 82-1404, 82-1405, 82-1406, 82-1407, 82-1408 and 82-1409 of the Revised Codes of Montana, 1947, relating to the creation of the Governor's committee on reorganization and economy, the powers and duties thereof and appropriation therefore.".....	215, 337.

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517	Introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to provide for the repeal of sections 79-1301, 79-1302, 79-1303, 79-1304, 79-1305, 79-1306, 79-1307 and 79-1308 of the Revised Codes of Montana, 1947, relating to the creation, compensation, powers, meetings and appropriations of the war planning and construction reserve fund and commission.".....	215, 338, 361, 377, 383, 390, 590, 617, 618, 623, 644.
518	Introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to provide for the repeal of sections 80-401, 80-402, 80-403 and 80-404 of the Revised Codes of Montana, 1947, relating to the creation, composition, powers, expenses, meetings and appropriations of farmers' institutes.".....	215, 328, 354, 377, 383, 390, 662, 711, 712, 733.
519	Introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to repeal sections 82-2101, 82-2102, 82-2103, 82-2104, 82-2105, 82-2106, 82-2107, 82-2108, 82-2109, 82-2110, and 82-2111 of the Revised Codes of Montana, 1947, relating to the establishment of the Montana commission on intergovernmental cooperation, its duties, functions, membership, reports and compensation to provide the legislative council shall be a member of the commission on interstate cooperation; to provide that the State of Montana shall be a member of the council of state governments; to provide that the council of state governments is to be a joint governmental agency of the State of Montana and of other states which cooperate through it; to provide that the legislative council shall establish such delegations and committees as may be advisable, providing that members of said delegations and committees shall serve without pay, but may be reimbursed for expenses as provided by law; and providing a repealing clause."	215, 381, 437, 461, 462, 485, 621, 673, 674, 675, 708.
520	Introduced by Healy: A bill for an act entitled: "An act to amend section 26-202.1 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 16, and section 1, chapter 100, of the Montana Session Laws of 1957, relating to fishing and hunting licenses, to provide that only residents of the State of Montana may obtain certain special licenses; and repealing all acts or parts of acts in conflict herewith.".....	216, 426.
521	Introduced by the Committee on Appropriations: A	

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	bill for an act entitled: "An act to appropriate money for the purchase of sets of the Revised Codes of Montana, 1947.".....	261, 328, 352, 377, 383, 391, 565, 568, 569, 578.
522	Introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the purpose of paying expenses as designated herein, for Montana state prison, bureau of identification, and bureau of vocational rehabilitation, for the remainder of the current fiscal year ending June 30, 1959, it being determined the appropriation made by the Thirty-fifth Legislative Assembly, to be insufficient; and providing for an effective date.".....	270, 328, 354, 394, 409, 708, 754, 755, 783, 803.
523	Introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising from obligations incurred by the State Board of Equalization; public employees retirement system; supreme court; state forester; from obligations arising from a judgment for Robert L. Randall; providing for validity notwithstanding the provisions of the budget act; and providing for an effective date.".....	382, 457, 509, 555, 557, 559, 621, 673, 674, 675, 731.
524	Introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to the Board of Examiners for the payment of certain contract obligations at the Montana state prison, said lands under contract known as Deer Lodge Valley Farms, payment of lease on certain state and forest lands, payment of taxes on lands under purchase contract and to pay interest on unpaid balance; for obligations to the international roll call corporation; and providing for an effective date."	513, 589, 623, 637, 638, 646, 823, SA-824, 833, 834, 835.
525	Introduced by the Chairman of the Appropriations Committee (by request): A bill for an act entitled: "An act to appropriate by means of the issuance and sale by the State Board of Examiners of bonds in addition to bonds already authorized to be issued and sold for the purpose of completing construction, building and furnishing quarters for the governor; designating the funds from which said bonds should be paid; providing that the monies obtained hereunder shall be placed in the governor's quarters construction interest and sinking fund; enumerating the powers and duties of the State Board of Examiners in carrying out	

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	the provisions of this act; providing that the appropriation herein provided for shall be valid notwithstanding the provisions of the budget act; and providing for an effective date.".....	546, 624, S-624, 639, 723, 732, 734, 737, 830, 833, 834, 835.
Sub. 525	Introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate by means of the issuance and sale by the state board of examiners of bonds in addition to bonds already authorized to be issued and sold for the purpose of completing construction, building and furnishing quarters for the governor; designating the monies from which said bonds should be paid; providing that such monies shall be placed in the governor's quarters construction interest and sinking fund; enumerating the powers and duties of the state board of examiners in carrying out the provisions of this act; providing that the appropriation herein provided for shall be valid notwithstanding the provisions of the budget act; and providing for an effective date."	624, 639, 723, 732, 734, 737, 830, 833, 834, 835.
526	Introduced by the Chairman of the Appropriations Committee (by request): A bill for an act entitled: "An act to appropriate the sum of eighty-five thousand dollars (\$85,000) for the purpose of defraying the costs of the 1960 national governors' conference; providing the manner and term for expending the same; providing that rigid budgeting of same shall not be set up by the state controller; specifying the purpose of this act; creating the 1960 national governors' conference fund; and declaring this act valid notwithstanding the provisions of the budget act.".....	546, 641, 675, 723, 737, 815, 831.
527	Introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the purpose of paying expenses as designated herein, for supreme court, secretary of state, board of pardons, apprenticeship council, transportation of prisoners, board of examiners, state treasurer, vocational school for girls, Montana milk control board, railroad commission, Montana state hospital, State orphans home, district judges, capitol custodian, county attorneys, attorney general, law library, governor's office, Western Montana College of Education, Montana State College, Agricultural Experiment Station, Experimental Substations of the Montana Agricultural Experiment Station, Agricultural Extension Service of Montana State College, and Montana State University, for the remainder of the current fiscal year ending June 30, 1959, it being	

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	determined the appropriation made by the Thirty-fifth Legislative Assembly, to be insufficient; and providing for an effective date.".....	548, 640, 668, 720, 725, 726, 822, SA-824, 829.
528	Introduced by the Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes as designated herein, for certain state departments and offices for the period beginning July 1, 1959, and ending June 30, 1961.".....	554, 659, 725, 729, 737, 739, 754, 759, 831, SA-832, 833, 834, 835.
529	Introduced by Chairman of the Appropriations Committee: A bill for an act entitled: "An act to appropriate money to provide funds for the administration of the vocational education act of 1946 by the State Board of Education; appropriating money for the administration of the national defense education act of 1958 by the superintendent of public instruction; and providing that the provisions hereof shall be deemed valid notwithstanding the provisions of the budget act.".....	555, 650, 675, 719, 720, 830, 833, 834, 835.
530	Introduced by Chairman of the Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the purchase of replacement volume three of the Revised Codes of Montana of 1947."	555, 650, 719, 723, 734, 737, 738, 821, 829.
531	Introduced by Leuthold, Hanks: A bill for an act entitled: "An act to appropriate the sum of two hundred thousand dollars (\$200,000.00) to the Montana Agricultural Experiment Station for expanded research in wheat quality improvement, and utilization of cereal grains and oil crops which are alternatives to wheat and for marketing of cereal grains and oil crops; to provide that this act shall be valid notwithstanding the provisions of the budget act and to provide for an effective date."	558, 642.
532	Introduced by Barnard: A bill for an act entitled: "An act to appropriate money for the state public school equalization fund and providing for the manner of distribution thereof for the period beginning July 1, 1959, and ending June 30, 1961; and providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act."	563, 589, 623, 637, 657, 664, 792, 817, 818, 827.

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533	Introduced by Barnard: A bill for an act entitled: "An act to appropriate money for the payment of insurance premiums for insurance on state property out of certain funds designated herein for the period beginning July 1, 1959, and ending June 30, 1961; and providing that the appropriations herein shall be held valid notwithstanding the provisions of the budget act.".....	563, 624, 639, 657, 658, 697, 719, 734, 742, 784, 788, 830, 833, 834, 835.
534	Introduced by Barnard: A bill for an act entitled: "An act to appropriate money for renovating, remodeling and repair of the railroad and public service commission offices and the governor's reception room; providing that said money shall be spent only for the purpose so designated; and providing that said appropriations shall be valid notwithstanding the provisions of the budget act."	565, 590, 623, 637, 638, 646, 701.
535	Introduced by Barnard: A bill for an act entitled: "An act to appropriate money for the purpose of supplementing certain funds to defray expenses of the Thirty-sixth Legislative Assembly; providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act and providing an effective date.".....	571, 573, 596, 637, 638, 646, 791, 793, SA-795, 815, 817, 818, 827.
536	Introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the operation and maintenance and for other purposes designated herein for the several units of the University of Montana, known as Montana State University, Montana State College, Experiment Station and Substations, Extension Service, Montana School of Mines, Western Montana College of Education at Dillon, Eastern Montana College of Education at Billings, and Northern Montana College at Havre, the office of the executive secretary, and for student fare refunds for the period beginning July 1, 1959 and ending June 30, 1961."	572, 642, 675, 719, 720, 721, 830, 833, 834, 836.
537	Introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state institutions, for the period beginning July 1, 1959, and ending June 30, 1961."	572, 640, 675, 719, 720, 721, 821, 829.
538	Introduced by the Committee on Appropriations: A	

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	bill for an act entitled: "An act to appropriate money for the State Department of Public Welfare of the State of Montana for public assistance, for administrative costs in the state department and in the county departments of public welfare and for all other expenditures coming under the State Department of Public Welfare which they may lawfully incur, for the period beginning with July 1, 1959, and terminating with June 30, 1961."	572, 642, S-642, 645, 675, 719, 720, 721, 823, 824, 825, 833, 834, 835.
Sub. 538	Introduced by the Committee on Appropriations. A bill for an act entitled: "An act to appropriate money for the state department of public welfare of the State of Montana for public assistance, for administrative costs in the state department and in the county departments of public welfare and for all other expenditures coming under the state department of public welfare which they may lawfully incur, for the period beginning with July 1, 1959, and terminating with June 30, 1961."	642, 645, 675, 719, 720, 721, 823, 824, 825, 833, 834, 835.
539	Introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state departments, boards, bureaus and commissions, for the period beginning July 1, 1959, and ending June 30, 1961."	572, 651, 707, 734, 737, 738, 831, SA-832, 833, 834, 835.
540	Introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state departments, boards, bureaus and commissions, for the period beginning July 1, 1959, and ending June 30, 1961."	572, 652, 675, 720, 725, 726, SA-831, 833, 834, 835.
541	Introduced by Glancy, Sheehy, Gunderson, Felt, Healy, Emmons, Babcock: A bill for an act entitled: "An act to re-appropriate to the State Board of Education all unencumbered balances not to exceed \$144,000 remaining to the credit of Eastern Montana College of Education at the end of the fiscal year, June 30, 1959, in fund 271-1, 804-2, 904 and 804-4; appropriating said unencumbered funds for the construction, building and furnishing a cerebral palsy and handicapped children center on the campus of Eastern Montana College of Education; providing for the operation of the	

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	center; providing for the letting of contracts."....	655, 669, 725, 734, 738, 829.
542	Introduced by Daniels, Jardine, Felt, McGarvey, Wood, Gerard, Anderson, MacDonald: A bill for an act entitled: "An act providing for the establishment of the state public building insurance fund; providing for a supervisor thereof; that all public buildings and contents thereof with certain exceptions are deemed insured by said fund against loss by fire, etc.; providing for valuation of all property deemed insured, and the duties of the state auditor in connection therewith, providing for reporting of losses, how determined and paid; providing it is unlawful to insure any of said buildings with any commercial or private insurer; providing for payment from said fund to fire department relief associations; providing an appropriation of two hundred and fifty thousand dollars (\$250,000.00) for said fund; providing for cancellation of policies and return of unearned premiums; providing penalties, a severability clause, a repealing clause, and an effective date."	667, 697, 725, 734, 741, 742, 784, 787, 830.
543	Introduced by Langston, Cerovski, Felt, Battin, Anderson, Sheehy, Cavan, Gleed, Wold, McOmber, Tonner: A bill for an act entitled: "An act to appropriate one hundred eighty thousand dollars (\$180,000) for the purpose of paying per diem expenses for members of the Legislative Assembly first hereafter elected; providing that members of the Legislative Assembly hereafter elected shall receive the sum of twenty dollars (\$20.00) per day for expenses incurred while attending sessions of the Legislature; providing that this per diem payment is in addition to and not in lieu of the salary of the members provided for in section 43-310, Revised Codes of Montana, 1947, as amended; and providing for a repealing clause."....	733, 750, 765, 788, 796, 807, 829.
544	Introduced by Cerovski, MacDonald, Gerard and Anderson: A bill for an act entitled: "An act to provide for a system of dissemination to the public of proceedings of the Legislature, namely status sheets, status of proceedings, mimeographed bills, printed bills, and amendments to printed bills; to provide for a schedule of fees to be paid by persons requesting and receiving such items; excluding representatives of the press, radio, and television, elected officials, state department heads and county clerks and recorders from the payment of fees, and providing they shall receive one copy of all such items free of charge; providing an effective date and repealing all acts and parts of acts in conflict herewith.".....	754, 770, 789, 796, 807, 830, 833, 834, 835.

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Sub. 53	Introduced by the Committee on Education: A bill for an act entitled: "An act to amend section 75-2701, Revised Codes of Montana, 1947, relating to earnable compensation and average final compensation of the teachers retirement system, State of Montana, and repealing all acts and parts of acts in conflict herewith."	84, 85, 99, 114, 116, 119, 709, 740, SA-765, 815, 818, 827.
Sub. 72	Introduced by the Committee on Printing: A bill for an act entitled: "An act to compel any person, persons, corporation, partnership or other legal entity, who reproduces for circulation any Senate or House Bill that has been introduced or considered by the Senate or House of Representatives of the Montana Legislature to properly identify the person, persons, corporation, partnership or other legal entity, that reproduces and/or circulates the same, to use a credit line at the beginning of such reproduction and specifying the manner in which such credit line shall be used and providing for a penalty for violation and a repealing clause."	279, 281, 298, 325, 326, 334, 708, 733, 742.
Sub. 78	Introduced by the Committee on Public Health, Morals and Safety: A bill for an act entitled: "An act to promote and protect the public health through the regulation of the business of plumbing; creating a state plumbing board and empowering said board and State Board of Health to adopt a state plumbing code covering the practice of plumbing and establishing minimum standards for plumbing work; providing concurrent authority for cities and towns; fixing penalties; providing for an effective date of said plumbing code; to amend section 66-2403, Revised Codes of Montana, 1947, relating to members on the State Board of Plumbing Examiners, by removing one (1) journeyman plumber and substituting in his place and stead one (1) registered professional engineer, qualified in mechanical engineering; and providing for a repealing clause."	285, 289, 338, 358, 359, 371, 708, 758, 759, 783.
Sub. 92	Introduced by Public Health, Morals and Safety Committee: A bill for an act entitled: "An act providing for the admission of patients to the Montana Tuberculosis Sanitarium by providing that any person may be admitted who is suffering from tuberculosis or miner's consumption; providing for applications and order of admission; repealing section 80-210, Revised Codes of Montana, 1947, as amended by chapter 142, Laws of 1953, and all acts and parts of acts in conflict	

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	therewith; and providing an effective date of this act."	217, 219, 229, 251, 252, 257, 708, 733, 742.
Sub. 293	Introduced by Committee on Education: A bill for an act entitled: "An act appropriating the sum of twenty thousand dollars (\$20,000.00) to the state examiner for the purpose of examining and auditing the books and accounts of the University of Montana system; providing that reports shall be made of such audit to the State Board of Education, and to the Thirty-seventh Legislative Assembly; providing that this appropriation is not subject to the budget act; and providing for an effective date."	411, 412, 458, 473, 488, 489, 500, 709, 740, SA-762, 815, 816, 818, 827.
Sub. 294	Introduced by Fladager, Wood, Nelstead, Wright: A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to section 5 of article XI of the Constitution of the State of Montana to provide for a state land equalization figure to consist of twenty per cent (20%) of receipts from grazing and agricultural rentals of state-owned lands, to provide for the payment of these receipts by the state to the counties to be pro-rated by the counties to school districts according to the percentage of state land within the local school district."	438, 460, 502, 520, 526, 528, 576.
Sub. 297	Introduced by the Committee on Ways and Means: A bill for an act entitled: "An act to amend section 84-5408 of the Revised Codes of Montana of 1947 relating to the transmission of net proceeds to county assessor; and providing that valuation of mines for the purpose of taxation shall be an amount equal to the average net proceeds from such mine for the five calendar years next preceding or for as many years next preceding as the mine has had gross yield, whichever is less, providing for computation of average net proceeds; providing for determination of net proceeds for averaging to determine valuation; providing for no valuation for a year when there has been no gross yield; repealing all acts and parts of acts in conflict herewith and providing an effective date."	400, 404, 437, 455, 462, 480, 753, 794, 795, 810.
Sub. 312	Introduced by the Committee on Military Affairs: A bill for an act entitled: "An act to amend section 77-177 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 26 of the	

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	Montana Session Laws of 1955 relating to the adjutant-general of the state, to provide for the discontinuance of the office of assistant adjutant-general; providing that the adjutant-general shall have the rank of major-general; designating his qualifications and experience; providing for a salary; providing for replacement of the adjutant-general; repealing subsections twelve and thirteen of section 77-120 of the Revised Codes of Montana, 1947; and repealing all acts and parts of acts in conflict herewith."	400, 404, 437, 455, 461, 480, 614, SS-710, 712, 728, 741, 785, 815, 818, 819, 827.
Sub. 337	Introduced by the Committee on Ways and Means: A bill for an act entitled: "An act to amend sections 4-317 and 4-324, Revised Codes of Montana, 1947, relating to taxes on beer to provide that the tax upon beer manufactured in the State of Montana or manufactured out of the state and lawfully imported into the state be increased from one dollar (\$1.00) to one dollar and 50/100 (\$1.50) per barrel of thirty-one (31) gallons and to provide that the tax on beer in containers of less capacity than a barrel of thirty-one (31) gallons shall be computed at the barrelage rate of one and 50/100 dollars (\$1.50) by the Montana Liquor Control Board, and to facilitate the identification of containers and the determination and computation of taxes applicable thereto by specifying the sizes of containers in which beer may be sold or offered for sale in the State of Montana, and providing for severability of the provisions of this act, and to repeal all acts and parts of acts in conflict herewith and to provide an effective date for this act."	401, 404, 458, 469, 511, 512, 515, 517, 662, 694, 695, 722, 791.
Sub. 385	Introduced by the Committee on State Boards and Institutions: A bill for an act entitled: "An act amending section 69-1512 of the Revised Codes of Montana of 1947 relating to fees for inspection of boilers and for examination of applicants for engineer's license; and amending section 69-1516 of the Revised Codes of Montana of 1947 relating to renewal of certificates of license to engineers; and repealing all acts and parts of acts in conflict herewith and providing an effective date."	361, 368, 383, 413, 424, 425, 449, 590, 617, 618, 623, 644.

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HOUSE RESOLUTIONS		
1	Introduced by Elting, Barnard, Howard, Gilfeather: A resolution asking for an investigation by the Legislative Council of all constitutional and statutory provisions relating to qualification of justices of the peace; and asking the Legislative Council to present recommendations, suggestions and proposed legislation relative to changing said provisions, to the Thirty-seventh Legislative Assembly of the State of Montana.	49.
2	Introduced by Cerovski: A resolution by the House of Representatives to the Appropriations Committee of the House of Representatives of the 36th Legislative Assembly.	301.
3	Introduced by Gerard, Casey, Cerovski: A resolution of the House of Representatives of the State of Montana noting with regret the illness of the secretary of state, John Foster Dulles, and wishing him a speedy recovery.	476.
4	Introduced by Gerard, Sales, Paulsen, Kiff, Higham, Hawks, Felt, Anderson, Howard, Babcock.	591.
5	Introduced by Wold, Aasheim, Nees, Bradford: A House resolution directing distribution of the Majority Report of the House Special Investigating Committee of the State Highway Department to certain officials and departments of the state and federal governments.	698.
6	Introduced by Sheldon (Flathead), Wold, Langston, Nees, Broeder, Fladager, Sales, Haines (Prairie), Hanks, Harball, Daniels, Battin, Bardanouve, Bentz, McGaffick, Wayrynen, Reeder, Schwinden, Abel, Devier, Glancy, Aasheim, Holecek, Bradford, Regan, Eskildsen, Cerovski, Gill, Gerard, Anderson, Cavan, Gleed, Wright, Higham, Fjare, Nichols, Reinecke, Paulsen, Page (Missoula), Walton, Wood, Barnard, Clowes, Shelden (Lincoln), Jensen, Morrison, Gunderson, Healy, Holding, Karlberg, Strnisha, McOmber, Parker, Elting, Loman, Tonner, Rindy, DeWolfe, McNally, Powers: A resolution of the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana urging the governor, the attorney general and the secretary of state of the State of Montana, in their individual official capacity and as the State Board of Examiners to cause a study to be made of the stale air situation in the chambers, halls, committee rooms and attaches rooms of the House of Representatives, and an estimate to be obtained for installation of proper air conditioning to correct such situation and providing that such study and estimate be presented to the next session of the Legislative Assembly of the State of Montana.	702.

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7	Introduced by Shelden (Lincoln), Wood, Devier, Barnard: A resolution of the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana directing the Legislative Council observe and report to the Thirty-seventh Legislative Assembly any reprisal by the departments, commissions, boards and bureaus of the state government against any state employee supplying data or testimony to the Thirty-sixth Legislative Assembly.	732, 821.
8	Introduced by Gill, Strnisha, Jensen, Wold, Shelden, Tonner, Harball, Holding, Gunderson, Karlberg, Wayrynen, Holtz and Gilfeather: A resolution of the House of Representatives of the State of Montana to the President of the United States, Dwight D. Eisenhower; the Congress of the United States; James E. Murray and Mike Mansfield, Senators from the State of Montana; Lee Metcalf and LeRoy Anderson, Representatives in Congress from the State of Montana; the Committee on Public Works of the United States Senate; the Committee on Public Works of the United States House of Representatives; the Committee on Appropriations of the United States Senate; the Committee on Appropriations of the United States House of Representatives; the Secretary of the Army, Wilber M. Brucker; the Chief of the Corps of Engineers, Department of the Army, Major General E. C. Itschner; and the Director of the Budget, Maurice H. Stans; requesting the introduction and enactment into law of the necessary and proper legislation to authorize construction by the federal government of the Paradise Dam on the Clark Fork River in the State of Montana and authorize sufficient appropriations for the detailed planning and construction of the Paradise Dam.	757.
9	Introduced as House Memorial No. 5, Page 714.	770.
10	Introduced by Barrett, Gill, Healy, Gunderson, Morrison, Wold, Langston, Daniels, Abel, Harball, DeWolfe, Tonner, Powers, Shea, Angstman and Sheldon (Flathead).	784.
11	Introduced by Wold, Tonner, Healy, Gunderson, Gill, Harball, Strnisha: A resolution of the House of Representatives of the State of Montana to Dwight D. Eisenhower, President of the United States; to the Congress of the United States; to the Honorable James E. Murray and the Honorable Mike Mansfield, Senators from the State of Montana; to the Honorable Lee Metcalf and the Honorable LeRoy Anderson, Representatives from the State of Montana; to the Department of the Interior and to the Honorable Secretary of the Interior; requesting that such action be taken as may be required to place the Absaroka-Yankee	

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	Jim project under construction as early as possible.	792, 796, 804.
12	Introduced by Gerard, Anderson, Sales, Cavan: A resolution to be forwarded to the Honorable Senate and House of Representatives of the United States in Congress assembled urging that fifteen per cent (15%) of all federal income taxes paid into the federal treasury by the public in the State of Montana and the various other states be retained in the State of Montana and the various other states to be placed in the general funds of the respective states and that a reduction of fifteen per cent (15%) be made in federal grants in aid connected with state legislative appropriations, to the State of Montana and the various other states.	805.
13	Introduced by Bardanouve, Strnisha: A resolution urging the State Board of Land Commissioners to follow the policy of advertising, in county newspapers, a list of state lands in that county upon which leases expire on February 28, as provided by section 81-408 of the Revised Codes of Montana, 1947.	806.
14	Introduced by Bardanouve, McOmber: A resolution of the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana directing the Legislative Council to study the consolidation and organization of state boards, bureaus, departments, and commissions, and to study the salaries paid to the various officers and administrative heads of bureaus, boards, or commissions.	820.
15	Introduced by Gerard, Cerovski: A resolution of the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana providing for the manner of caring for the records of legislative committees.	820.
16	Introduced by Cerovski.	827.
HOUSE MEMORIALS		
1	Introduced by Wood, Barnard, Kiff, Bentz, Nelstead, Elting, Woodring, McOmber, Bardanouve, Langston, Hanks, Strnisha, Walton, Broeder, Schwinden: A memorial of the House of Representatives of the State of Montana to the Congress of the United States; to the Honorable James E. Murray and the Honorable Mike Mansfield, Senators from the State of Montana; the Honorable Lee Metcalf and the Honorable LeRoy Anderson, Representatives in Congress from the State of Montana; and to the Federal Communications Commission, Washington, D. C., urging that the Congress	

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	of the United States enact legislation that will lead to the authorization of very high frequency television translators and asking for an investigation of the now existing translators before any further action is taken against these translators by the Federal Communications Commission.	48, 77.
2	Introduced by DeWolfe, Bardanouve, Sales, Gerard, Langston, Nees, Harball, McOmber, Bashor, Hawks: A Memorial of the House of Representatives of the State of Montana to the President of the United States of America, Dwight D. Eisenhower, the Congress of the United States, Senator James E. Murray, Senator Mike Mansfield, Representative Lee Metcalf, Representative LeRoy Anderson, and Ezra T. Benson, Secretary of Agriculture, urging an embargo on beef cattle, excepting registered cattle, during the fall market season of September, October and November.	156, 347.
5	Introduced by Gerard and Cerovski: A memorial of the House of Representatives of the State of Montana to the Governor of the State of Montana and to the heads of all departments of the state government, and education agencies, including the Superintendent of Public Instruction and the State Board of Education and the County Superintendent of Schools, the school boards, superintendents, principals, and teachers of all elementary schools; advising them of the national aviation education workshop for teachers, which is being sponsored jointly by the University of Montana at Missoula; the United States Air Force; the Montana Aeronautics Commission; and the Civil Air Patrol. Introduced, page 714; changed to H. R. No. 9	770.

HOUSE JOINT MEMORIALS

- 1 Introduced by Wood, Loughran, Sheehy, Cerovski, Bentz, Gunderson, Lees: A joint memorial of the House of Representatives and Senate of the State of Montana to the Congress of the United States; the Honorable James E. Murray and the Honorable Mike Mansfield, Senators from the State of Montana; the Honorable Lee Metcalf and the Honorable LeRoy Anderson, Representatives from the State of Montana; and to the Committees on Interstate and Foreign Commerce of the House of Representatives and the Senate of the United States, urging such remedial action, through Congress' authority over the Federal Communications Commission, as will insure continued operation of the free television stations in Montana; prohibiting microwave signals to feed cable systems from outside the State of Montana, and to insure the continued operation of low power VHF booster

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	stations, to the end that the people of Montana shall not be denied the advantageous services of a Montana system of free television broadcasting.	58, 76, 89, 105, 113, 418, 454, SA-472, 488, 502, 536, 557.
2	Introduced by Wold, Sheehy, Lees, Felt, Cavan, Hawks, Anderson, Broeder, Babcock, Tonner: A joint memorial of the Senate and House of Representatives of the State of Montana to the President of the United States, Dwight D. Eisenhower; Senator James E. Murray, of Montana; Senator Mike Mansfield, of Montana; Congressman Lee Metcalf, of Montana; Congressman LeRoy Anderson, of Montana; the Committee on Appropriations of the United States Senate; the Committee on Appropriations of the United States House of Representatives; the Committee on Interior and Insular Affairs of the United States Senate; the Committee on Interior and Insular Affairs of the United States House of Representatives; the Committee on Public Works of the United States House of Representatives; the Secretary of the Interior, Fredrick B. Seaton; the Commissioner of the Bureau of Reclamation, Wilbur A. Dexheimer; the Secretary of the Army, Wilbur M. Brucker; the Director of the Budget, Maurice H. Stans; requesting the introduction and enactment into law of the necessary and proper legislation to authorize and provide funds to start the construction on Yellowstone Dam on the Big Horn River in the State of Montana for 1959.	66, 100, 114, 136, 142, 376, 382, 398, 414, 415, 469, 502, 553, 719.
3	Introduced by Sheldon (Lincoln), Jensen, Holding, Gill, Broeder, Harball, Tonner: A joint memorial of the Senate and House of Representatives of the State of Montana to the President of the United States, Dwight D. Eisenhower; the Congress of the United States; James E. Murray and Mike Mansfield, Senators from the State of Montana; Lee Metcalf and LeRoy Anderson, Representatives in Congress from the State of Montana; the Committee on Public Works of the United States Senate; the Committee on Public Works of the United States House of Representatives; the Committee on Appropriations of the United States Senate; the Committee on Appropriations of the United States House of Representatives; the Secretary of the Army, Wilbur M. Brucker; the Chief of the Corps of Engineers, Department of the Army, Major General E. C. Itschner; and the Director of the Budget, Maurice H. Stans, urging construction of Libby Dam in two stages, with work beginning on the initial stage as soon as possible in order to protect the national interest.	

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	in water and water resources rising in the United States, and requesting sufficient appropriations so that detailed planning and design work can begin immediately.	80, 100, 114, 136, 145, 356, 399, 475, 489, 536.
4	Introduced by Tonner, McOmber, Harball, McGarvey, Moudree, Emmons, Gilfeather: A joint memorial of the House of Representatives and the Senate of the State of Montana to the Governor of the State of Montana, J. Hugo Aronson; the Superintendent of Public Instruction of the State of Montana, Harriet J. Miller; and the Montana State Board of Education; requesting that the State Board of Education and the Superintendent of Public Instruction recognize and enforce their mutual obligation to provide that teaching of conservation in a continuing program be conducted in the public elementary and secondary schools of the State of Montana.	82.
5	Introduced by Jardine, Parker, Bashor, Eskildsen: A joint memorial of the Senate and House of Representatives of the State of Montana to the Governor of the State of Montana, J. Hugo Aronson, requesting said Governor to proclaim October 31st as Youth Honor Day.	108, 249, 278, 283, 754, 794, 795, 810.
6	Introduced by Glancy, Barnes, Holding, Jensen, Angstman, Elting, Wold, Tonner: A joint memorial of the House of Representatives and the Senate of the State of Montana to Dwight D. Eisenhower, President of the United States; to the Congress of the United States; to the Honorable James E. Murray and the Honorable Mike Mansfield, Senators from the State of Montana; to the Honorable Lee Metcalf and the Honorable LeRoy Anderson, Representatives from the State of Montana; to the Department of the Interior and to the Honorable Secretary of the Interior; requesting that such action be taken as may be required to place the Absaroka-Yankee Jim project under construction as early as possible.	108, 269, 796.
7	Introduced by Tonner, McGarvey, Harball, Sheldon (Flathead), Broeder, McOmber, Langston, Eskildsen, Bardanouve: A joint memorial of the Senate and House of Representatives of the State of Montana to the President of the United States, Dwight D. Eisenhower; the Congress of the United States; James E. Murray and Mike Mansfield, Senators from the State of Montana; Lee Metcalf and LeRoy Anderson, Representatives in Congress from the State of Montana; the Committee on Public Works of the United States Senate; the Committee on Public Works of the United States House of Representatives; the Committee on Ap-	

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	<p>propriations of the United States Senate; the Committee on Appropriations of the United States House of Representatives; Interior Committees; the Secretary of the Army, Wilber M. Brucker, the Chief of the Corps of Engineers, Department of the Army, Major General E. C. Itchner; the Secretary of the Interior, Fred Seaton; the Commissioner of the Bureau of Reclamation, W. A. Dexheimer; and the Director of the Budget, Maurice H. Stans, requesting the introduction and enactment into law of the necessary and proper legislation to authorize construction by the federal government of Glacier View Dam on the North Fork of the Flathead River in the State of Montana and to authorize that sufficient appropriations be provided for the detailed planning and construction of Glacier View Dam.....</p>	<p>138, 180, 225, 235, 252, 256, 620, 621, SA-624. 815, 817, 818, 827.</p>
8	<p>Introduced by Tonner, Sheldon (Flathead), Shea, Rindy, Broeder, Powers: A joint memorial of the Senate and House of Representatives of the State of Montana to the President of the United States, Dwight D. Eisenhower; the Congress of the United States; James E. Murray and Mike Mansfield, Senators from the State of Montana; Lee Metcalf and LeRoy Anderson, Representatives in Congress from the State of Montana; the Committee on Public Works of the United States Senate; the Committee on Public Works of the United States House of Representatives; the Committee on Appropriations of the United States Senate; the Committee on Appropriations of the United States House of Representatives; the Committee on Interior and Insular Affairs of the United States Senate; the Committee on Interior and Insular Affairs of the House of Representatives; the Secretary of the Interior, Fred A. Seaton; the Commissioner of Reclamation, Wilbur A. Dexheimer; and the Director of the Budget, Maurice H. Stans; urging authorization of the transmountain diversion of the Middle Fork of the Flathead River to the South Fork of the Flathead River at the Spruce Park site above the Hungry Horse Dam, and requesting sufficient appropriations so that detailed planning and design work can begin immediately.</p>	<p>139, 180, 289, 290, 296, 615.</p>
9	<p>Introduced by Haines (Missoula), Howard, Page (Missoula), Holding, Karlberg: A joint memorial of the Senate and the House of Representatives of the State of Montana to the President of the United States; to the Congress of the United States; to the Secretary of Defense and the Department of Defense; to the Honorable United States Senators James E. Murray and Mike Mans-</p>	

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	field; and to the Honorable Representatives in Congress Lee Metcalf and LeRoy Anderson; requesting that the Department of Defense activate and utilize the facilities of Fort Missoula at Missoula, Montana, as a regular army post, or if such is not presently possible, to keep said post intact, maintained and under consideration for future use.	146, 180, 225, 235, 251, 252, 257, 356, 399, 489, 513, 557.
10	Introduced by Abel, Strnisha, Holecek, MacDonald, Karlberg, Barrett, Mernin, Holtz, McOmber: A joint memorial of the House of Representatives and the Senate of the State of Montana to the Congress of the United States; to the Honorable James E. Murray and the Honorable Mike Mansfield, Senators from the State of Montana; and the Honorable Lee Metcalf and the Honorable LeRoy Anderson, representatives in Congress from the State of Montana; and to the Committee on Military Affairs, Washington, D. C., urging that the Congress of the United States enact legislation granting pensions to World War I veterans as heretofore done for the Spanish-American veterans and veterans of other prior wars of the United States.	146, 179, 225, 235, 236, 241, 347, 348, 418, 469, 502, 536, 557.
11	Introduced by Sales, Hawks: A joint memorial of the House of Representatives and the Senate of the Legislative Assembly of the State of Montana to the Congress of the United States; Senator James E. Murray of Montana; Senator Mike Mansfield of Montana; Congressman Lee Metcalf of Montana; Congressman LeRoy Anderson of Montana; and the Commissioner of Internal Revenue of the United States; relating to the submission to the people of the United States the question of whether the federal income tax on the income of individuals should be continued.	187, 260, 294.
12	Introduced by Barnard, Gilfeather: A joint memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States, Senator James E. Murray of Montana, Senator Mike Mansfield of Montana, Congressman Lee Metcalf of Montana, Congressman LeRoy Anderson of Montana, the Committee on Interior and Insular Affairs of the United States Senate; the Committee on Interior and Insular Affairs of the United States House of Representatives, and the Secretary of the Interior, Frederick B. Seaton, requesting the establishment of a federal Indian policy which recognizes the duty of the federal government to the American Indian.	193, 381, 424, 473, 489, 499, 590, 617, 618, 638, 644.

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HOUSE JOINT RESOLUTIONS		
1	Introduced by Glancy, Devier: "A joint resolution of the House and Senate of the State of Montana to the President of the United States, Dwight D. Eisenhower; to the Congress of the United States; to the Senate Interior and Insular Affairs' Committee; to Senators James E. Murray and Mike Mansfield; to Congressmen Lee Metcalf and LeRoy Anderson; and to the Hawaii delegation in the United States Congress and the Governor of the Territory of Hawaii; requesting the President and Congress of the United States to do what may be necessary to give full statehood to the Territory of Hawaii.	54, 100, 136, 144, 267, 281, 284, 301, 353.
2	Introduced by MacDonald, Cerovski: A joint resolution of the House of Representatives and Senate of the State of Montana authorizing the employment of a tax consultant by the 36th Legislative Assembly of the State of Montana.	66, 80, 83, 101, 103, 154, 168, 169, 217.
3	Introduced by Leuthold, Nees, Barrett, Gerard, Wright: A Joint Resolution of the House of Representatives of the State of Montana, the Senate concurring, to the State Board of Education, requesting the said State Board of Education to raise the fees and tuition charges of non-resident students at the University of Montana.	210, 354, 381, 413, 419, 454, 462, 485, 753, 809, 810.
4	Introduced by Devier, Leuthold, Daniels: A House Joint Resolution requesting and directing the Montana Legislative Council to make a complete study of the laws, regulations and administration of the state lands and investments of the State of Montana to determine whether the maximum revenue is being derived from these lands and investments and to recommend ways in which such revenue may be adjusted if necessary.	210, 328, 413, 437, 453, 753, 815, 817, 818, 827.
5	Introduced by Page (Missoula): A Joint Resolution of the House of Representatives and the Senate of the Thirty-sixth Legislative Assembly of the State of Montana: A resolution asking the Appropriations Committee and the Finance and Claims Committee to use the budget suggested by the state controller based upon income from the present tax structure, and asking each department head to be able to justify to the Appropriations and Finance and Claims Committees any increase beyond the controller's suggested budget.	210, 259.

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6	Introduced by Sheldon (Lincoln), Kvaalen: A Joint Resolution of the House of Representatives and the Senate of the State of Montana to the Fish and Game Commission and the Department of Fish and Game of the State of Montana; urging that the bounty now paid on the mountain lion be reduced or removed at the earliest opportunity.	210, 260.

INDEX TO SENATE BILLS

Bold face figures refer to roll call on third reading. Thus: 300.

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1	Introduced by Mackay, Cumming, Hagenston, Streeter, Nixon, Durkee, Sagunsky, Keller, Cole, James, Groff: A bill for an act entitled: "An act to make the Governor the chief budget officer of the state, requiring the Governor to prepare and present a budget message and balanced budget to each regular session of the Legislative Assembly; to establish the office of director of the budget and providing for the appointment of the director of the budget who shall hold office at the pleasure of the Governor; requiring each department, state institution and agency to submit information requested by the director of the budget, providing that the director of the budget shall prepare a budget request for any department, institution or agency not submitting requested information, to provide for the preparation of a preliminary budget by the director of the budget; fixing the form and content of the budget and designating the items of revenue and expenditures which must be set forth and requiring a proposed budget bill and recommendations for new sources of revenue; granting to the governor-elect the right to make comments and recommendations to be incorporated in the budget; granting power to the director of the budget to investigate the items submitted to his office and to demand and receive requested information from every department, officer, board, commission, or institution; to amend sections 82-109, 82-110 and 82-112 of the Revised Codes of Montana, 1947; repealing sections 79-1002, 79-1003, 79-1004, 79-1004.1, 79-1005, 79-1007, 79-1010, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith."	286, 287, 641, 655, 665, 674, 703, 796.
2	Introduced by Smith: A bill for an act entitled: "An act to amend sections 87-106, 87-128, 87-148 and 87-149 of the Revised Codes of Montana, 1947, as amended by chapter 171, Laws of Montana, 1957, and sections 87-120, 87-139 and 87-152 of the Revised Codes of Montana, 1947, and to repeal section 87-144 of the Revised Codes of Montana, 1947, which sections are a part of the unemployment compensation law; by changing the qualifications for benefits; allowing abatement of certain charges to employer accounts by reason of benefits paid; correcting ambiguous wording; revising the period of time to be reported in the annual report of the commission to the governor covering the administration and operation of the unemployment compensation law; requiring com-	

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	mission cooperation with the secretary of labor in administering acts of congress to pay unemployment compensation benefits to federal employees; veterans and ex-service personnel of the armed forces of the United States; repealing section 87-144 which provides for payment of state unemployment compensation benefits to certain ex-servicemen of the armed forces of the United States; revising the period of time within which the commission may issue a certificate and lien against any employer for failure to pay contribution due; excluding from the term employment, as defined by the unemployment compensation law, services performed by certain real estate and insurance salesmen; revising the definition of 'total unemployment' and 'state'; entering the name of the proper federal agency in section 87-152; providing a savings clause; repealing all acts and parts of acts in conflict herewith; and providing an effective date."	538, 544, 554, 643, 664, 666, 667.
3	Introduced by Cotton: A bill for an act entitled: "An act to amend section 75-1620 of the Revised Codes of Montana, of 1947, relating to expenses of school trustee elections; to provide that election judges be at a rate not to exceed one dollar per hour."	96, 97, 593.
4	Introduced by Sagunsky, Bovey, Mackay, Nixon: A bill for an act entitled "An act to amend sections 10-103, 10-104, 10-109, 10-110, 10-118, 10-119, and 10-121, Revised Codes of Montana, 1947, by substituting the words 'Montana Children's Center' for the words 'State Orphans' Home' in said sections, and substituting said words in every place said words are used in designating the state home throughout each and all said sections, so that said home shall be known as the Montana Children's Center, instead of the State Orphans' Home, and repealing all acts and parts of acts in conflict herewith and providing an effective date."	SS-154, 164, 278, 282, 307.
7	Introduced by Durkee, Cumming, Hagenston, Clark, Mackay, Streeter, James: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana an amendment to section 11, article XI of the constitution of the State of Montana relating to the general control and supervision of the state university and the various other state educational institutions, to provide for the establishment of a state board of education, consisting of eight members to be appointed by the governor, subject to confirmation by the senate, under the regulations and restrictions to be provided by law, to provide that the general control and supervision of the public, free, common schools shall be vested in	

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	the state board of education; to provide that the general control and supervision of the University of Montana shall be vested in a board of regents, whose powers and duties shall be prescribed by law, to provide that the board of regents shall consist of eight members, appointed by the governor, subject to confirmation by the senate, under the regulations to be provided by law; to provide for an effective date."	537, 538, 593, 617, 627, 628, 714.
8	Introduced by Grant, Scofield, Keller, Brownfield, Anderson (Wibaux), Ringling, Lehrkind: A bill for an act entitled: "An act to provide the State Fish and Game Commission with the power and authority to authorize the issuance of a special nonresident \$20.00 deer and/or antelope permit; providing for the tagging of such carcasses and for shipping permits; and repealing all acts and parts of acts in conflict herewith."	SS-228, 229, 311, 335, 339, 419.
Sub. 8	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act authorizing the State Fish and Game Commission to issue special non-resident antelope and special nonresident deer licenses, fixing the fees, and powers and duties under such licenses, and providing that all acts and parts of acts in conflict herewith are hereby repealed."	
9	Introduced by Cumming, Durkee, Streeter, Mackay, James, Beley, Hibbs: A bill for an act entitled: "An act to amend section 23-503, Revised Codes of Montana, 1947, as amended by chapter 83, laws of 1953; section 23-511, Revised Codes of Montana, 1947; section 23-1302, Revised Codes of Montana, 1947, as amended by chapter 104, laws of 1953; section 23-1303, Revised Codes of Montana, 1947, as amended by chapter 152, laws of 1955; sections 23-1306, 23-1401, 23-1402, 23-1403, 23-1404, 23-1405, Revised Codes of Montana, 1947; to permit electors in the United States service to become registered by mailing to county clerk a federal post card application, to except cancellation of registry for failure to vote by persons in the United States Service, to permit application for official ballot by persons in the United States service, to prescribe form of application for persons in United States service, to prescribe form of ballot envelope and return envelope for electors in United States service, to define electors in the United States service and other terms, to prescribe the form of the federal post card application, to prescribe officials permitted to administer oaths required by electors in United States service, and	

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	to prescribe the classification of federal post card applications."	154, 164, 179, 225, 231, 281.
10	Introduced by Stein, Brownfield: A bill for an act entitled: "An act to amend section 23-1813, of the Revised Codes of Montana, 1947, relating to transmittal of election returns by clerks of county commissioners to the secretary of the state, to provide that said transmittal of said election returns shall be accomplished by certified mail; and providing a repealing clause."	108, 112, 559, 570, 579, 663.
11	Introduced by Stein, Brownfield: A bill for an act entitled: "An act to amend section 93-1509 of the Revised Codes of Montana, 1947, relating to county sheriffs summoning jurors, to provide that notice shall be accomplished by certified mail; and providing a repealing clause."	108, 112, 559, 570, 579, 663.
12	Introduced by Stein, Brownfield: A bill for an act entitled: "An act to amend section 84-710 of the Revised Codes of Montana, 1947, relating to the sending of notice of intention by the State Board of Equalization to change assessment of property, to provide that the State Board of Equalization shall send said notice by certified mail; and providing a repealing clause."	108, 112, 559, 570, 580, 663.
13	Introduced by Hofland, Mahoney (Garfield), Cole, Robinson, Cotton and McKenna (Fergus): A bill for an act entitled: "An act relating to the distribution of monies received by the State of Montana under and by virtue of the flood control act of 1954 under title thirty-three (33) United States code annotated section 701-c-3; providing for the distribution of such monies by the state to the counties of Montana wherein such flood control land is situated; providing the counties receiving such monies shall expend fifty percent (50%) thereof for the benefit of the county common schools in the county wherein such flood control land is situated and fifty percent (50%) thereof for the benefit of the general public roads in the county wherein such flood control land is situated; providing and designating the funds into which such monies shall be distributed by the county concerned; providing for a repealing clause; and providing for an effective date of this act."	108, 113, 559, 570, 580, 714.
14	Introduced by McGowan, Balgord, Wilson, Rice, Stein, Cotton, Keister: A bill for an act entitled: "An act relating to and providing for the appropriation and regulation of ground water; defining terms used in the act; exempting from the act	

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	<p>water used for domestic and culinary purposes; watering of livestock, watering of lawns and gardens, and water withdrawn for drainage purposes; providing for the appropriation of ground water; providing for the filing of claims of vested ground water rights with the State Water Conservation Board and county clerk and recorder; providing for the filing of notices of appropriation of ground water after the effective date of the act with the State Water Conservation Board and county clerk and recorder; providing for prior rights; providing for the designating and modifying of boundaries of ground water areas and sub-areas by State Water Conservation Board; authorizing State Water Conservation Board to make surveys, investigations and studies of ground waters; providing for the limiting of withdrawals from ground water areas or sub-areas; providing for the adjudication of ground water rights in ground water areas or sub-areas; providing for appropriations from adjudicated ground water areas or sub-areas; providing for change of location of ground water rights; providing against waste of ground waters and providing for the regulation of wells to prevent waste; providing for appeals; authorizing county attorneys to perform certain services; authorizing State Water Conservation Board to administer oaths and to prescribe reasonable rules and regulations; providing for fees; providing for the creation of ground water administration fund; providing penalties for violations of the act; and repealing sections 89-2901 to 89-2910, inclusive, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with the provisions of this act; providing for a saving clause; and providing for an effective date."</p>	<p>SS-538, 545, 696, 697.</p>
<p>Sub. 14</p>	<p>Introduced by Committee on Irrigation and Water Conservation: A bill for an act entitled: "An act relating to and providing for the appropriation and regulation of ground water; defining terms used in the act; exempting from the act water used for domestic and culinary purposes, watering of livestock, watering of lawns and gardens, and water withdrawn for drainage purposes and withdrawn in association with production of natural resources; and providing other exemptions; providing for the appropriation of ground water; providing for the filing of claims of vested ground water rights with the state water conservation board and county clerk and recorder; providing for the filing of notices of appropriation of ground water after the effective date of the act with the state water conservation board and county clerk and recorder; providing for prior rights; providing for the designating and modifying of boundaries of ground water areas and sub-areas by state water conservation board; authorizing state</p>	

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	water conservation board to make surveys, investigations and studies of ground waters; providing for the limiting of withdrawals from ground water areas or sub-areas; providing for the adjudication of ground water rights in ground water areas or sub-areas; providing for appropriations from adjudicated ground water areas or sub-areas; providing for change of location of ground water wells and other works; providing for abandonment of ground water rights; providing against waste of ground waters and providing for the regulation of wells to prevent waste; providing for a hearing before the district court to confirm the orders of the state water conservation board; providing for appeals; authorizing county attorneys to perform certain services; authorizing state water conservation board to administer oaths and to prescribe reasonable rules and regulations; providing for fees; providing for the creation of ground water administration fund; providing penalties for violations of the act; and repealing sections 89-2901 to 89-2910, inclusive, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with the provisions of this act; and providing for a saving clause."	
15	Introduced by Carney, Grandey, Beley, Nees: A bill for an act entitled: "An act to amend section 23-1808, Revised Codes of Montana, 1947, relating to the issuance of certificates of election by the clerk of the Board of County Commissioners; providing when said clerk shall make out and deliver certificates of election to elected and appointed persons (except elected district judges) signed by him and authenticated with the seal of the Board of County Commissioners; and providing that said certificates shall contain notice that the official bond of the elected or appointed official must be filed within a prescribed period of time."	229, 230, 417, 547, 549, 578.
16	Introduced by Hibbs: A bill for an act entitled: "An act vesting in District Courts the exclusive jurisdiction of proceedings involving unlawful operation of motor vehicles by persons under eighteen (18) years of age; providing penalties for unlawful operation of motor vehicles by persons under eighteen (18) years of age; providing for the issuance of summons and for further proceedings before the District Court relating to unlawful operation of motor vehicles by persons under eighteen (18) years of age, and relating to enforcement of penalties imposed in such proceedings."	229, 647, 674, 699, 704, 796.
17	Introduced by Hibbs, Dussault: A bill for an act entitled: "An act to amend section 16-3605 of the	

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	Revised Codes of Montana, of 1947, to authorize the practice of law by justices of the peace in certain instances; providing for the repeal of all acts and parts of acts in conflict therewith.".....	229, 695, 700, 705, 796.
Sub. 19	Introduced by Committee on Relief and Social Security: A bill for an act entitled: "An act to amend sections 87-103, 87-104, Revised Codes of Montana, 1947, as last amended by chapter 140, Session Laws of 1957, and amending section 87-109, as last amended by chapter 171, Session Laws of Montana, 1957, relating to unemployment compensation; increasing maximum potential weekly benefit amounts; increasing maximum duration of benefit payments; providing additional weeks benefits based on employee experience; restoring former classified contribution rates; increasing average percentage for such rates; increasing trust fund reserve ceiling; increasing wage coverage limit; repealing conflicting acts; providing an effective date."	
26	Introduced by Groff, McGowan, Harken, Minette, Clark, LaCombe, Keister: A bill for an act entitled: "An act to regulate and control lobbying before the State Legislature and during sessions thereof; providing for licensing and registration of lobbyists; providing penalties and enforcement."	274, 275, 613, 637, 655, 714.
30	Introduced by Anderson (Lincoln), LaCombe, Keister, Siderius: A bill for an act entitled: "An act to provide for snow removal in times of emergency in cities and towns; providing for a one (1) mill levy by the corporate authority of cities and towns and providing for the assessment, collection and levy of taxes for the same for the purpose of providing for an emergency snow removal fund; limiting the fund to a specified purpose; providing that the mayor of cities and towns shall have the power to declare an emergency to exist for snow removal; providing that all acts and parts of acts in conflict herewith are hereby repealed."	156, 231, 284, 403, 419, 436, 552, 563, 570, 577, 663.
31	Introduced by Mahoney (Garfield): A bill for an act entitled: "An act to amend section 16-910, of the Revised Codes of Montana of 1947, relating to the time of and duration of the regular meetings and extra sessions of the Board of County Commissioners in counties of certain classes; providing for an extra meeting of the Board of County Commissioners to be held on the third Monday of each month of every year, except when meeting as the	

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	County Board of Equalization as provided by law; providing for a repealing clause.".....	229, 230, 560, 573, 593, 615, 714.
32	Introduced by Nixon, Lehrkind, McDonnell: A bill for an act entitled: "An act to amend section 93-1401, R.C.M., 1947, as amended by chapter 133, Laws of the Thirty-first Legislative Assembly of the State of Montana, 1949, relating to jury lists, by whom and when to be made, and repealing all acts and parts of acts in conflict herewith.".....	138, 142, 560, 570, 580, 663.
Sen. Sub. for H.B. 33	Introduced by Committee on Workmen's Compensation: A bill for an act entitled: "An act to amend certain provisions of the Montana workmen's compensation law; amending sections 92-701, 92-702, 92-703, 92-704, and 92-709, Revised Codes of Montana, 1947; as last amended by chapter 234, Montana Session Laws of 1957; all relating to compensation for injuries by increasing compensation in cases of temporary total, permanent total, and partial disability, and for injuries causing death, and certain specific loss injuries; repealing sections 92-705 of the Revised Codes of Montana, 1947, relating to burial expenses and 92-706 of the Revised Codes of Montana, 1947, relating to medical care, hospitalization and treatment; providing for payment of burial expenses; providing for medical and hospital services and such other treatment as approved by the board; and amending section 92-707, Revised Codes of Montana, 1947, as last amended by chapter seven, Montana Session Laws of 1949, reducing the waiting period; amending section 92-708, Revised Codes of Montana, 1947, as last amended by chapter 253, Montana Session Laws, 1955, removing restrictive language in consecutive payment of compensation; repealing conflicting acts; providing an effective date."	
34	Introduced by Minette: A bill for an act entitled: "An act to amend section 32-2145, Revised Codes of Montana, 1947, replacement volume 3, providing for the establishment of state speed zones.".....	491, 493, 655, 699, 714, 796.
35	Introduced by Thiessen, Cotton, Brenner, Grandey, and Mannix: A bill for an act entitled: "An act to amend section 75-4230, Revised Codes of Montana, 1947, relating to the attendance of high school pupils outside of county of residence and providing for an increase in tuition rates for children attending high schools in counties other than the counties of the children's residence and repealing all acts and parts of acts in conflict herewith."	138, 143, 552, 563, 565, 639.

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36	Introduced by Thiessen, Minette, Grandey, Cotton: A bill for an act entitled: "An act to amend section 75-1630, Revised Codes of Montana, 1947, relating to the transfer of school funds and providing for an increase in tuition rates for children attending elementary schools in school districts other than the districts of the children's residence and repealing all acts and parts of acts in conflict herewith."	154, 231, 552, 563, 566, 639.
37	Introduced by Mannix, Sagunsky: A bill for an act entitled: "An act to amend section 53-108, Revised Codes of Montana, 1947, as amended by section 1, chapter 146, Laws of Montana, 1957, relating to renewal of registration; by providing that vehicles may be operated between January first and February fifteenth without displaying the current registration certificates; by providing temporary windshield stickers for owners of used vehicles whose registration certificates are being processed through the office of the Registrar of Motor Vehicles; by prohibiting the sale or purchase of more than one (1) temporary windshield sticker when vehicle's ownership not changed; by providing a three (3) day grace period for purchaser of new motor vehicles in which to make application for registration; by providing it shall not be a violation of any law to operate such new motor vehicle on the streets and highways during said three (3) day period, if such purchaser has in his possession satisfactory evidence of ownership; by repealing all acts or parts of acts in conflict herewith and by providing for effective date of act."	260, 261, 560, 570, 581, 663.
39	Introduced by Stein, McDonnell, Groff, Keister, Clark, Smith, Mannix: A bill for an act entitled: "An act to amend section 16-2903, Revised Codes of Montana, 1947, relating to recordation of instruments by county clerks and recorders; to permit the county clerks and recorders to preserve records by use of microfilm."	229, 230, 613, 637, 656, 714.
40	Introduced by Stein, McDonnell, Groff, Keister, Clark, Smith, Mannix: A bill for an act entitled: "An act to provide for the recordation of instruments by photostatic, microphotographic or microfilm; to provide for the disposal of original recorded instruments when reproductions are substituted therefor, to provide for copies of destroyed or disposed of originals being admissible as evidence in courts and proceedings, to provide for identification, indexing and safekeeping of copies of instruments and to provide for a repealing clause."	229, 230, 613, 637, 656, 714.

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42	Introduced by Minette, Keister, Stein, Spear, Sagunsky, Wilson, Rice, Streeter, Cotton, Goodwin, Carney: A bill for an act entitled: "An act to amend section 71-410, of the Revised Codes of Montana, 1947, to provide that old age recipients who are enrolled members of recognized Indian tribes may receive not to exceed one hundred dollars (\$100.00) in any one calendar year, as per capita payments from tribal lands or tribal profits, without affecting the amount of their old age assistance; and containing a repealing clause.".....	491, 493, 560, 570, 573, 587, 663.
43	Introduced by Clark, Ruane: A bill for an act entitled: "An act to amend section 3, chapter 44, Laws of Montana, 1953, as amended by section 4, chapter 270, Laws of Montana, 1955, relating to federal-state agreements under the social security act, to provide that the effective date of such agreement may be retroactive to the extent permitted by the social security act; to amend section 4, chapter 44, Laws of Montana, 1953, as amended by section 6, chapter 270, Laws of Montana, 1955, relating to plans for coverage of employees of political subdivisions and providing for the exclusion of such services under such plans; and to amend section 8, chapter 44, Laws of Montana, 1953, as amended by section 10, chapter 270, Laws of Montana, 1955, to provide for the removal of teachers from persons excepted from the act; and to provide that invalidity of a part of this act shall not affect or impair the remainder, and to provide that this act shall become effective upon its passage and approval, and to repeal all acts or parts of acts in conflict herewith.".....	156, 165, 552, 570, 578, 663.
44	Introduced by Siderius, Grandey, Cotton, Reardon, Mahoney (Garfield): A bill for an act entitled: "An act to amend section 75-1633 of the Revised Codes of Montana of 1947, relating to the use of school rooms for adult education schools or classes and providing for a tax levy not in excess of one mill by the board of county commissioners on property for this purpose made in the same manner as tax levies for elementary and secondary schools or classes; providing that all acts in conflict herewith are hereby repealed.".....	490, 491, 617, 637, 656, 714.
47	Introduced by Nixon, Nees, Lehrkind, McDonnell: A bill for an act entitled: "An act to amend section 71-509 of the Revised Codes of Montana, 1947, relating to periodic reconsideration and changes in amount of aid to dependent children assistance, to provide for an investigation of the manner in which assistance payments are being utilized by the recipient, and providing for the appointment by the District Court of the recipient as guardian	

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	of the assistance grant in behalf of the child or children, to insure use of such grants for the needs of the child or children and providing for rendering accounts by such guardian to the court; providing for the termination of such guardianship; providing an effective date, and repealing all acts and parts of acts in conflict.".....	237, 238, 551, 555, 578.
48	Introduced by Cumming, Thiessen: A bill for an act entitled: "An act to repeal section 31-111, Revised Codes of Montana, 1947, relating to drivers procuring driver's license—fees—who can purchase."	154, 165, 560, 570, 581, 663.
49	Introduced by Cotton, Thiessen: A bill for an act entitled: "An act to amend section 75-3912, Revised Codes of Montana, 1947, relating to the qualifications of electors entitled to vote in school district bond elections and providing for the closing of the registration books and the posting of notice of election and providing for an effective date."	537, 541, 558, 570, 581, 714.
50	Introduced by Cotton, Thiessen: A bill for an act entitled: "An act to amend section 75-3938, Revised Codes of Montana, 1947, providing for the qualifications of voters in an election for the issuance of bonds of any school district, town or city, and providing for an effective date."	537, 541, 558, 570, 582, 663.
51	Introduced by Cotton, Thiessen: A bill for an act entitled: "An act to amend section 84-4711, Revised Codes of Montana, 1947, relating to the qualifications of electors entitled to vote upon proposals to create or increase indebtedness of a city, town, school district, or other municipal corporation and providing for an effective date."	537, 541, 558, 570, 582, 714.
52	Introduced by Cumming, Michels, Mahoney (Sanders): A bill for an act entitled: "An act relating to the use of radio-microwaves or other electrical devices to detect speed of vehicles being operated upon the public highways of the State of Montana; providing that the speed of vehicles may be measured by use of radio-micro or other electrical device; providing that the results of such measurements shall be accepted as evidence of speed in any court or legal proceedings where the speed of a vehicle is at issue; authorizing arrests without a warrant when officer is in uniform or displays his badge of authority and when such officer has observed the recording of vehicle's speed by radiomicro waves or other electrical device or has received a radio message from another officer; providing for the erection of signs to warn	

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	motorists; repealing all acts or parts of acts in conflict herewith."	229, 230, 574, 621, 632, 714.
53	Introduced by Harken, Dussault, Mahoney (Sanders), McDonnell: A bill for an act entitled: "An act to amend section 93-3014 of the Revised Codes of Montana, 1947, relating to the manner, time, and service of publication of summons in civil actions; providing that the clerk shall deposit a copy of the summons and complaint in the post office where residence of a non-resident or absent defendant is known and the costs thereof to be paid by the party at whose request the service is to be made; providing when publication is deemed complete; and providing for a repealing clause."	229, 230, 695.
54	Introduced by Anderson (Lincoln), Cumming: A bill for an act entitled: "An act to amend section 11-210, Revised Codes of Montana, 1947, as amended by section 2 of chapter 75 of the Montana Session Laws of 1953, relating to trustees of fire districts and the appointment and powers thereof."	286, 287, 613, 637, 657, 714.
55	Introduced by Anderson (Lincoln), Cumming: A bill for an act entitled: "An act to amend section 11-2008, Revised Codes of Montana, 1947, relating to fire districts in unincorporated territory, towns and villages, as amended by chapter 75 of the Session Laws of 1953 and by chapter 75 of the Session Laws of 1957."	286, 287, 403, 547, 550, 578.
56	Introduced by Mahoney (Sanders), Cumming: A bill for an act entitled: "An act to repeal sections 53-123 to 53-128, inclusive, Revised Codes of Montana, 1947, relating to issuance of a license to owners of foreign licensed vehicles who are in Montana as tourists or for recreational travel only and relating to the enforcement of such provisions."	154, 165, 560, 570, 582.
57	Introduced by Mahoney (Sanders), Cumming, Anderson (Lincoln): A bill for an act entitled: "An act to amend section 119, chapter 263, Laws of Montana, 1955, relating to additional equipment on vehicles; by requiring safety equipment for logging vehicles and prescribing safety precautions to be taken by operators of vehicles hauling logs upon the public highways of the State of Montana; specifying the number of binders to be used and carried on such vehicles; prescribing the material of which binders shall be made; prescribing the size and strength of such binders; requiring binders to be secured around load with the use of fasteners; prescribing procedure in	

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	tightening binders with fasteners to prevent slip-page or loosening of binders; prescribing maximum width limitations; prescribing loading procedure for loads which extend upward beyond the bunks or stakes; repealing all acts and parts of acts in conflict herewith.".....	229, 231, 574, 621, 633, 663, 789.
58	Introduced by Dussault, Brenner: A bill for an act entitled: "An act to amend section 66-1806, of the Revised Codes of Montana, 1947, relating to fees for examination of applicants for certificates of certified public accountant; providing for a fee of thirty dollars for examination, and after failure of an applicant to pass, a fee of five dollars for each section of each additional examination taken by the applicant; and containing a repealing clause."	417, 419, 564, 593, 616, 714.
61	Introduced by Rieder: A bill for an act entitled: "An act to amend section 93-9906, of the Revised Codes of Montana, 1947, relating to lands required for public use; providing that public use must be compatible with the greatest public good and the least private injury; providing that consideration must be given to irrigated lands or lands susceptible of irrigation; providing that when interstate highways are to be located where a controversy arises concerning the location of the same, upon written petition by a landowner or landowners the county commissioners of the county involved shall appoint a citizen's committee of six members three of whom shall be rural resident freeholders and three of whom shall be urban resident freeholders who shall sit with the state highway commission as a board of arbitrators at a specified time, to determine, hear and decide such controversy; providing the giving of agents of the state the right to enter upon such lands; after conference with landowner or landowners; providing that notice of hearing shall be given by county commissioners in a newspaper once each week for two consecutive weeks and providing for the filing of the results of the hearing with the clerk of district court of the county concerned; and providing for an effective date of this act.".....	537, 538, 589, 621, 633, 714.
62	Introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend section 26-103, Revised Codes of Montana, 1947, relating to the meetings of the Fish and Game Commission, place of meetings, and providing that the commission shall pay rent for space in the state office building until such time as the commission may establish its own offices; and providing for a repealing clause."	490, 492, 560, 570, 583, 645, 647, 655, 658, 669, 714.

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63	Introduced by the Committee on Liquor Control: A bill for an act entitled: "An act to amend sections 4-104, 4-153 and 4-422 of the Revised Codes of Montana, 1947, relating to Montana Liquor Control Board — creation — qualifications — term and to members and employees of the Liquor Control Board of the State of Montana being interested in liquor sales or receiving gifts, commissions or remunerations by providing that it shall not be unlawful for a member of the board to be interested in or engaged in the liquor business, and by further providing that not more than one member of the board may be the holder of a current Montana retail liquor license and a current Montana retail beer license; and repealing all acts and parts of acts in conflict herewith."	261, 262, 286, 313, 320, 378, 510, 511.
64	Introduced by Carney, Streeter: A bill for an act entitled: "An act to amend section 84-4005, Revised Codes of Montana, 1947, replacement volume five (5), relating to the duties of the county assessor; provided that the county assessor must compute and enter in the assessment books the tax to be paid and attach thereto his affidavit."	261, 262, 560.
65	Introduced by Carney, Streeter: A bill for an act entitled: "An act to amend section 84-4107, Revised Codes of Montana, 1947, replacement volume five (5), relating to the receipt to be given by the county treasurer; providing that such receipt shall contain the amount of the assessment, the purposes for which the tax was paid, and a description of the property."	261, 262, 561.
66	Introduced by Hofland, Mahoney (Garfield): A bill for an act entitled: "An act to amend section 32-302, Revised Codes of Montana, 1947, as amended by chapter 109, laws of 1955, pertaining to the powers and duties of county commissioners respecting highways by authorizing county commissioners to employ a road foreman and prescribing his powers and duties; containing a repealing clause."	274, 275, 561, 570, 583, 714.
68	Introduced by Groff (by request): A bill for an act entitled: "An act to reduce and manage fire hazards created by cutting timber; providing for the reduction of slash and forest debris along right-of-way; and providing for a penalty for noncompliance of this act."	537, 540, 648, 699, 704, 796.
69	Introduced by Dussault, Nixon, Michels, Thiessen, Nees, Harken: A bill for an act entitled: "An act to amend sections 48-131 and 48-132 of the Revised Codes of Montana, 1947, relating to the written declaration of solemnized marriages when	

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	the records of such marriages have been lost or destroyed; providing for the contents of the written declaration, the witnessing thereof and acknowledgment and the filing thereof with the clerk of the District Court; providing for a repealing clause and providing for an effective date of this act."	260, 261, 632, 664, 670, 789.
70	Introduced by Harken, McDonnell, Dussault, Michels: A bill for an act entitled: "An act to amend section 48-130 of the Revised Codes of Montana, 1947, relating to the written declaration of marriage without solemnization; providing that premarital test certificate shall be obtained and attached to the declaration and filed with the clerk of the court; providing for the contents of the declaration of marriage; providing for a repealing clause; and providing for an effective date of this act."	260, 261, 632, 665, 670, 789.
71	Introduced by Harken, Cumming, Nees: A bill for an act entitled: "An act to amend section 31-155, Revised Codes of Montana, 1947, relating to additional penalty for persons who drive while privilege to do so is suspended and prohibiting board from issuing license to person whose license is revoked; providing for additional like period of revocation for persons convicted of driving while privilege to do so is revoked; repealing all acts or parts of acts in conflict herewith."	237, 238, 561, 570, 583, 663.
72	Introduced by Dussault, Harken: A bill for an act entitled: "An act to amend section 91-4407 of the Revised Codes of Montana, 1947, as amended by chapter 5, Session Laws of Montana, 1957, relating to the deductions on inheritance tax; providing that attorneys' fees, filing fees, necessary expenses and closing costs in termination of joint tenancies and life estates and transfers in contemplation of death and all other proceedings for the determination of inheritance tax shall be deductible; providing for a repealing clause; and providing for an effective date of this act."	317, 319, 695, 700, 716, 796.
73	Introduced by Harken, Cumming, Nees: A bill for an act entitled: "An act to amend section 53-422, Revised Codes of Montana, 1947, relating to determination of security required—suspension of license and registration—exceptions—liability insurance; providing that the motor vehicle registrations of vehicles involved in accidents shall not be suspended on co-owned vehicles; and to amend section 53-423, Revised Codes of Montana, 1947, as amended by section 1, chapter 187, Laws of Montana, 1957, relating to exceptions to security	

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	requirements; providing that the operator or the owner of a legally stopped vehicle shall be excepted from security requirements; repealing all acts or parts of acts in conflict herewith.".....	260, 261, 561, 570, 584, 663.
74	Introduced by Nixon, Nees: A bill for an act entitled: "A bill for an act to amend section 61-205, Revised Codes of Montana, 1947, replacement volume 4, as amended by section 5, chapter 240, of the Session Laws of 1957, relating to the persons required to consent to the adoption of a child, providing that if it is proven to the satisfaction of the court that the father or mother has not contributed to the support of the child during a period of one year before filing a petition for adoption, filed written consent to the adoption will not be necessary.".....	SS-537, 540, 695.
Sub. 74	Introduced by Committee on Judiciary: A bill for an act entitled: "A bill for an act to amend section 61-205, Revised Codes of Montana, 1947, replacement volume four (4), as amended by section 5, chapter 240, Session Laws of 1957; relating to the persons required to consent to the adoption of a child, providing that if it is proven to the satisfaction of the court that the father or mother, if able, has not contributed to the support of a child during a period of one (1) year before filing a petition of adoption, filing written consent to the adoption will not be necessary; providing for the issuance of a citation to the parents of a child in the name of the State of Montana and the procedure thereof; providing for the repeal of sections 61-127 to 61-137, both inclusive of the Revised Codes of Montana, 1947, replacement volume four (4); providing for the repeal of section 61-140, of the Revised Codes of Montana, 1947, replacement volume four (4); providing for a repealing clause; and providing for an effective date."	
76	Introduced by Cotton, Hagenston: A bill for an act entitled: "An act to amend section 16-1904 of the Revised Codes of Montana, 1947, relating to hearings on county budgets, adoption thereof, and fixing tax levies, providing for items authorized and appropriated for, in such budgets shall not exceed ten percentum (10%) of the amount appropriated and authorized for such items for the fiscal year immediately preceding; providing for the filing of copies of the final budget and tax levies therefor with the state examiner by a specified time, and providing for a penalty in case of failure to file.".....	347, 348, 618, 657, 671, 731, 736, 753, 811.
79	Introduced by Cole: A bill for an act entitled: "An	

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	act to amend section 53-427, Revised Codes of Montana, 1947, relating to the custody, disposition and return of security posted in compliance with safety responsibility provisions; providing that after five (5) years unclaimed deposits shall be transferred to the state general fund; repealing all acts or parts of acts in conflict herewith.".....	237, 238, 695.
86	Introduced by Groff, Dussault: A bill for an act entitled: "An act to amend section 28-109 of the Revised Codes of Montana, 1947, relating to the State Board of Forestry to provide for the classification of lands for forest fire protection purposes; and to provide for the duties of the owners of classified forest land."	317, 319, 553, 563, 567, 639.
87	Introduced by Groff, Dussault: A bill for an act entitled: "An act to amend section 28-111 of the Revised Codes of Montana, 1947, relating to forest fire protection and provides for the determination of the cost of forest fire protection and certification."	317, 318, 553, 563, 567, 639.
88	Introduced by Groff, Dussault: A bill for an act entitled: "An act to amend section 28-104 of the Revised Codes of Montana, 1947, relating to land or timber owner's responsibility to provide for conservation and fire protection measures being applicable to non-commercial and non-merchantable timber."	317, 318, 553, 563, 567, 639.
89	Introduced by Groff, Dussault: A bill for an act entitled: "An act to amend section 28-103 of the Revised Codes of Montana, 1947, relating to fire protection to provide for the definition of forest land, for the purposes of this act; to allow the state forester to expand the forest fire season; and to provide for the creation of protection zones."	317, 318, 553, 563, 566, 639.
90	Introduced by Groff, Dussault: A bill for an act entitled: "An act to amend section 28-110 of the Revised Codes of Montana, 1947, relating to forest fire protection by the State Board of Forestry and provides for compliance of forest fire laws; provides for the designation of boundaries of forest fire protection districts."	317, 318, 553, 564, 568, 639.
91	Introduced by Groff, Dussault: A bill for an act entitled: "An act to amend section 28-105 of the Revised Codes of Montana, 1947, relating to the State Board of Forestry to provide for the creation of organized forest fire protection districts; and to provide through the state forester for for-	

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	est fire protection by the state forester's organization."	317, 318, 553, 563, 566, 639.
92	Introduced by Sagunsky, Scofield, Hofland, Hagenston, Rieder, Streeter: A bill for an act entitled: "An act to amend section 69-2701 of the Revised Codes of Montana, 1947, as amended by chapter 136 of the laws of 1957, relating to fireworks, definition and restriction, to provide for including roman candles, certain rockets, illuminating torches, sparklers, mines, shells and other pyrotechnics within the definition of 'fireworks'; exempting supervised public display of fireworks, as provided for in section 69-2702, of the Revised Codes of Montana, 1947; and repealing all acts in conflict herewith."	286, 287, 354.
94	Introduced by Minette, Cumming, Smith: A bill for an act entitled: "An act to provide for emergency succession to the office of Governor in the event of enemy attack upon the United States and to provide for selection of an emergency seat of government in case of such attack; providing for a repealing clause and an effective date."	317, 319, 695, 700, 716, 789.
97	Introduced by Beley, Mahoney (Garfield), Groff, Goodwin: A bill for an act entitled: "An act authorizing the Montana Public Service Commission to issue licenses for the operation and use of VHF booster television systems and VHF translator television systems within this state, providing that no person shall operate a VHF booster system or VHF translator system within the boundaries of this state except under and in accordance with a license issued therefor, requiring that an application be made for said license, authorizing said commission to adopt rules and regulations, containing a definition of terms, providing a penalty for the unlicensed operation of such system; and providing for an effective date."	286, 288, 329, 351, 378.
98	Introduced by Smith, Harken: A bill for an act entitled: "An act to amend section 68-901 of the Revised Codes of Montana, 1947, as amended by section 6 of chapter 186 of the laws of the Thirty-second Legislative Assembly of the State of Montana, 1951, relating to service and disability retirement allowances, and particularly, paragraph (g) thereof relating to the minimum guarantee by providing a minimum guarantee for all members eligible for retirement at the age of seventy (70) years, and paragraph (h) thereof relating to disability retirement by providing for the retirement of members of the public employee's retirement system with ten (10) or more years of creditable service who have become permanently, mentally	

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	or physically incapacitated for the further performance of duty, requiring the board of administration of the public employees' retirement system to make payments of a disability retirement allowance retroactive to the date of the commencement of the disability or termination of state service if later where the disabled member has been prevented from making application for such allowance by reason of his disability, providing the amount payable in the event of retirement by reason of disability, and providing that a member whose disability is due to any injury or disease arising out of and in the course of his employment shall be entitled to a disability retirement allowance regardless of the number of years of creditable service; repealing paragraphs (i), (j), (k), and (l) of section 68-901 of the Revised Codes of Montana, 1947, as amended by section 6 of chapter 186 of the laws of the Thirty-second Legislative Assembly of the State of Montana, 1951, and all acts or parts of acts in conflict herewith; providing that invalidity of a part of this act shall not affect or impair the remainder; and making this act effective upon its passage and approval."	537, 540, 629.
101	Introduced by Harken, Dussault: A bill for an act entitled: "An act to amend section 69-1328, Revised Codes of Montana, 1947, enacted as chapter 142, laws of 1955, relating to definitions; providing that new industry or sewerage system discharging industrial or other wastes into waters excepted from the act be required to maintain the classification established by the council at the point of discharge and downstream from the discharge of such wastes; containing a repealing clause; providing an effective date of this act."	537, 539, 613, 657, 671, 789.
102	Introduced by Mahoney (Garfield), Carney: A bill for an act entitled: "An act to repeal sections 38-1102, 38-1103, 38-1104, 38-1105, 38-1106, and 38-1107, of the Revised Codes of Montana, 1947, all relating to the procedure for admittance and commitment to the Montana Home for Senile Men and Women; repealing all acts and parts of acts in conflict herewith; and providing for an effective date."	261, 262, 571, 593, 615, 621, 622, 657, 664, 666, 667, 700, 704, 796.
103	Introduced by Hibbs, Mahoney (Sanders): A bill for an act entitled: "An act to provide that no statutory or common law rule or provision relating to restraints against alienation, suspension of the power of alienation, accumulations of income, perpetuities or remoteness of vesting shall apply to trusts which are part of a pension, retirement, insurance, savings, stock bonus profit-sharing or	

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	similar plan, and repealing all acts or parts of acts in conflict herewith."	356, 357, 649, 700, 715, 796.
104	Introduced by Hibbs, Mahoney (Sanders): A bill for an act entitled: "An act to amend sections 67-406 and 67-407, Revised Codes of Montana, 1947, relating to the period during which the absolute power of alienation may be suspended and to establish the American common law rule against perpetuities, and to repeal all acts or parts of acts in conflict herewith, including specifically the following sections of the Revised Codes of Montana, 1947; sections 67-422, 67-513, 67-515, 67-516, 67-517, 67-518."	348, 349, 649, 700, 715, 796.
105	Introduced by McGowan, Mahoney (Garfield), Hag-enston, Stein, Wilson, Keister. A bill for an act entitled: "An act to insure collection of the Mont-ana state income tax upon the income of non-residents, and to provide for withholding of por-tions of certain payments to nonresidents and pay-ment of the amounts so withheld to the State Board of Equalization as partial payment of such nonresidents' income tax; to provide that certain types of payments shall not be subject to with-holding under this act; to provide for the method of collection and payment of amounts withheld; to provide for and define the duties of withhold-ing agents under the act and penalties for failure of such agents to withhold or pay; and to provide for the powers and duties of the State Board of Equalization, county assessors, and county clerks and recorders under this act."	491, 493, 639, 665, 671, 796.
106	Introduced by Lehrkind, Dussault, Cole: A bill for an act entitled: "An act to amend section 94-1805, Revised Codes of Montana, 1947, relating to ob-taining money or property by false pretenses; making it an offense to obtain services by false pretenses."	317, 318, 575, 621, 634, 714.
107	Introduced by Hibbs: A bill for an act entitled: "An act to amend section 60-144, Revised Codes of Montana, 1947, relating to the furnishing of cores and cuttings from oil and gas wells by the owners thereof to the Oil and Gas Conservation Commis-sion of the State of Montana; deleting all refer-ences in said section to the Bureau of Mines and Geology of the State of Montana and substituting the commission therefor; providing the commission may relieve owners of the obligation to furnish cores and cuttings when unduly burdensome or op-pressive; repealing all acts and parts of acts in conflict herewith."	367, 669, 700, 716, 796.

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108	Introduced by Clark, Mahoney (Garfield), Hibbs, Brenner, Reardon, Stein, James, Grant: A bill for an act entitled: "An act to amend section 75-1522 of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 109 of the session laws of the Thirty-second Legislative Assembly of the State of Montana, 1951, and section 1 of chapter 242 of the session laws of the Thirty-fourth Legislative Assembly of the State of Montana, 1955, relating to the abandonment of school districts; deleting therefrom the provisions with respect to transportation and payments in lieu of transportation, and the effect thereof; providing that the period of abandonment for school districts which have provided transportation or in lieu of transportation, payments during the years 1958-1959 shall not commence until July 1, 1959; and repealing all acts or parts of acts in conflict herewith."	538, 544, 593, 621, 634, 714.
109	Introduced by Cumming, Durkee, Rieder, Wilson: A bill for an act entitled: "An act to amend section 26-202.3 of the Revised Codes of Montana, 1947, relating to the definition of 'resident' for the purpose of issuing resident fishing and hunting licenses to members of the armed forces of the United States and their spouses who are assigned to duty in Montana, after a period of thirty (30) days within Montana, shall be considered as a resident; providing for a repealing clause."	490, 492, 561, 572, 584, 663.
110	Introduced by Siderius: A bill for an act entitled: "An act to amend section 16-4527, Revised Codes of Montana, 1947, enacted as section 27, chapter 242, laws of 1957, relating to county water districts, by striking the words "... where the water district is located more than one (1) mile from the boundary of an incorporated city or town ..." to permit an option for assessment; containing a repealing clause."	286, 288.
111	Introduced by Stein, Dussault, Mahoney (Garfield), Ruane, Harken, Mahoney (Sanders), Carney, Nees: A bill for an act entitled: "An act to require a true, plain and impartial statement of the meaning and purpose of any referendum, initiative or constitutional amendment submitted to the vote of the people of the State of Montana and repealing all acts and parts of acts in conflict therewith."	317, 319, 696.
112	Introduced by Hibbs, McDonnell: A bill for an act entitled: "An act providing for compensation of workmen for disability or death resulting from occupational diseases; providing that this act shall be known as 'the occupational disease act of Montana'; providing that this act shall be admin-	

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	<p>istered by the Industrial Accident Board; providing for definitions; defining occupational diseases; determining proximate causation; providing for the coverage of certain employers and employees; establishing those subject to this act; providing for the liability of last employer and exceptions; providing that right to recover compensation pursuant to provisions of this act shall be the exclusive remedy therefor against the employer bound by this act; providing for employees right to reject this act; providing for payment of compensation, exceptions and limitations; providing for time and manner for filing claims; providing for notice of disability or death; providing for medical plan, medical committee and pulmonary specialists; establishing procedure for medical examination of claimant; providing for autopsy; providing that compensation payments for disability or death caused by an occupational disease shall be the same as compensation payments for temporary total and permanent total disability and for injuries causing death under the Montana workmen's compensation act; providing for burial expense; providing for medical and hospital expense; defining aggravation and pro-rating benefits thereunder; providing for compensation for disability or death from silicosis complicated by pulmonary diseases; providing for periodic medical examinations; providing for compensation plans and for the creation of the occupational disease compensation fund; establishing when common law defenses are not available; providing for the payment of benefits in the event employee is discharged under certain conditions; establishing penalty for false representation by employee; prohibiting lump sum settlements and providing for payment of attorney fees; providing for limitation of employer liability in certain cases, and prohibiting waivers; providing a date when compensation payments under this act begin; providing penalties for violation of this act; providing for time and manner of payments; providing for payment to guardian of child under eighteen years of age; providing for procedure to be followed by the board; providing for right of appeal to courts; providing certain administrative powers of board; providing for records and copies of evidence; providing that books, records and payroll of employers shall be open to inspection by board; providing for jurisdiction of board to head disputes and controversies; providing for hearings, findings, and awards by the board; prohibiting persons receiving compensation or benefits under part nine of the public welfare act of the State of Montana from receiving benefits under this act; providing for the diminution of payments under this act where claimant, his beneficiaries, or his dependents are receiving benefits under the workmen's compensation act of Montana or any other state; providing that wilful misconduct, wilful</p>	

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	self-exposure, or wilful disobedience of orders of the board shall bar right to benefits under this act; prohibiting assignment of compensation benefits or attachment of benefit payments; providing for payment of medical examination and autopsy expenses; prohibiting the vesting of rights to compensation awarded under this act and reserving unto the state the right to reduce the rate or amount of compensation to be received by any person; providing for a repealing clause; providing that this act shall be liberally construed; and repealing all acts and parts of acts in conflict herewith; providing an effective date."	538, 543, 639, 664, 668.
113	Introduced by Thiessen, Mahoney (Garfield), Carney, Cotton: A bill for an act entitled: "An act to amend section 24-138 of the Revised Codes of Montana, 1947, as amended by chapter 55, Laws of Montana, 1951, relating to the duties of owners of poles and wires upon notice being given by any person, firm or corporation of intention to move any house, building, derrick or other structure, and repealing all acts or parts of acts in conflict herewith."	537, 543, 669, 700.
114	Introduced by Carney, Brownfield, Anderson (Wibaux), Grant: A bill for an act entitled: "An act authorizing teacher preparation scholarships; providing that the state superintendent of public instruction shall be the director; providing for a county board to choose the candidates; providing for a maximum scholarship over a two-year period of fifteen hundred dollars (\$1,500.00); providing that recipients of scholarships shall endorse notes to the state treasurer for the amount of the scholarship, providing that the note shall bear interest at the rate of three per cent (3%) per annum and shall be payable twenty-eight (28) months after date of issue; providing for the repayment of the scholarship to the State of Montana by the recipient if he or she does not teach in a one-room rural school for a period of time equal to the time the scholarship was paid; providing for the cancellation of said notes and interest thereon when the recipient has satisfactorily completed two full school years of teaching in a one-room rural school, or the death or total disability of the recipient; and providing for the expiration of the application period on September 1, 1960; and providing for an effective date of this act."	538, 543, 639.
115	Introduced by Mackay, Bovey: A bill for an act entitled: "An act to amend section 59-704 of the Revised Codes of Montana, 1947, as amended, relating to the distribution of public reports, to provide for a minimum distribution of four (4) mimeographed or carbon copies of reports to the librarian of the Historical Society of Montana, to	

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	provide for a minimum distribution of forty (40) copies of printed reports furnished by state institutions, offices and departments presenting an annual or biennial report to the librarian of the State Historical Society; to provide for the transmittal to the U. S. Library of Congress two (2) copies of each report by the Historical Society of Montana."	261, 262, 552, 564, 568, 663.
117	Introduced by Smith, Ruane, Mahoney (Sanders), Dussault, Hagenston, McDonnell, McKenna (Fergus), Hibbs: A bill for an act entitled: "An act repealing section 93-1501-7, Revised Codes of Montana, 1947, as amended by section 1, chapter 113, Laws of the 31st Legislative Assembly of the State of Montana, relating to when a witness is not compelled to attend pursuant to subpoena."	286, 288, 696, 700, 717, 789.
118	Introduced by Carney: A bill for an act entitled: "An act providing that the commissioner of state lands and investments shall prepare and transmit a statement to the county assessor; authorizing the State Board of Examiners to make payments to counties for the purpose of reimbursing such counties, either in whole or in part, for losses of taxes on real property resulting from ownership in the State of Montana; providing for the procedural requirements and methods to be followed for payment; and limiting payment thereof to lands in counties wherein the State of Montana owns lands in excess of six per cent (6%) of the total land area in the counties; providing that such sums paid shall not exceed twelve cents (12¢) per grazing acre and thirty-five cents (35¢) per agricultural acre; and providing for an effective date."	537, 542, 696, 719, 737, 755, 788, 792, 793.
121	Introduced by Groff, Mahoney (Garfield), Cotton, Brenner: A bill for an act entitled: "An act to amend section 16-1015 of the Revised Codes of Montana, 1947, replacement volume two (2) as amended by chapter forty-eight (48) Session Laws of Montana, 1957, relating to the powers and duties of county commissioners to levy an annual tax on the taxable property of the county to defray current expenses, including salaries not otherwise provided for, not exceeding sixteen (16) mills for any one (1) year and to levy such taxes as are required by special or local statutes; providing for an additional levy of four (4) mills for a prescribed period; and providing for a repealing clause."	286, 288, 613, 657, 672, 731, 732, 739, 759.
126	Introduced by Committee on State Boards and In-	

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	stitutions: A bill for an act entitled: "An act to create a state bureau of criminal identification, and statistics under the department of the attorney general; providing the general powers and duties; providing for laboratory and clinical facilities; providing for transmission of records to the bureau; providing for appointment and discharge of personnel; providing for a records section at the state penitentiary; providing for money for the operation of the bureau; amending section 25-226 and 25-201, Revised Codes of Montana, 1947, as amended; providing for appropriation of fees collected; repealing certain acts in conflict therewith and providing an effective date.".....	491, 492, 589, 621, 634, 714.
128	Introduced by Keister, Rice, Wilson, Cotton: A bill for an act entitled: "An act to provide for the coloration of wheat, oats, rye or barley when being treated with an injurious or toxic substance or chemical, providing a penalty; and repealing all acts or parts of acts in conflict herewith.".....	347, 348, 562, 572, 584, 663.
132	Introduced by Grant: A bill for an act entitled: "An act to amend section 26-703, Revised Codes of Montana, 1947, as amended by chapter 182, laws of 1947, relating to the shipping of fish, game animals, game birds, fur bearing animals from the State of Montana by nonresidents and authorizing the shipment thereof by shipping permits; and containing a repealing clause."	420, 561, 572, 573, 593, 617, 627, 714.
134	Introduced by Durkee: A bill for an act entitled: "An act to amend section 26-104, Revised Codes of Montana, 1947, as amended by chapter 40, Session Laws of 1951, and chapter 157, Session Laws of 1955, and chapter 151, Session Laws of 1957, relating to the powers and duties of the state fish and game commission and adding sub-section (26) thereto, providing for the authority to promulgate and enforce rules and regulations governing recreational uses of public fishing reservoirs and lakes constructed by the commission or on reservoirs and lakes in operation under agreement with a federal or state agency or private owners; and containing a repealing clause."	537, 539, 561, 572, 585, 663.
135	Introduced by Durkee: A bill for an act entitled: "An act to amend section 62-102 of the Revised Codes of Montana, 1947, relating to the limitation of expenditure of county funds for the purpose of acquiring and equipping county parks to provide authorization to expend not to exceed five thousand dollars (\$5,000.00) per annum for maintenance of county parks; to provide that there are no restrictions on expenditures for the purpose	

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	of acquisition and equipping of county parks; providing for a repealing clause."	491, 493, 629, 655, 674, 703, 796.
136	Introduced by Durkee: A bill for an act entitled: "An act to amend section 16-1008A, as amended, of the Revised Codes of Montana, 1947, relating to erection and management of county buildings; civic centers; youth centers, park buildings, museums, recreation centers, hospitals; and other improvements by commission to provide for the inclusion of county parks within the purview of this act."	491, 492, 629, 665, 672, 789.
137	Introduced by Sagunsky, Dussault, Harken: A bill for an act entitled: "An act to amend section 94-1002, Revised Codes of Montana, 1947, and providing certain buildings, places and tracts of land under one ownership are public nuisances if they are used for illegal acts as prohibited by chapter 24 and chapter 30, Revised Codes of Montana, 1947, providing that all acts in conflict herewith are hereby repealed and providing that this act be effective from and after its passage and approval."	490, 492, 649, 700, 705, 796.
138	Introduced by Groff, Nixon, Cumming, Mannix, Carney, Morrow, Brenner: A bill for an act entitled: "An act to amend section 59-510 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 253 of the laws of 1957, relating to office hours of state offices; to provide that state employees shall work a minimum of forty (40) hours a week; to provide for the repeal of all inconsistent acts or parts of acts in conflict herewith."	491, 493, 552, 564, 570, 571.
139	Introduced by Committee on Agriculture, Rice (Chairman): A bill for an act entitled: "An act to amend section 90-129, Revised Codes of Montana, 1947, as amended by chapter 89, laws of 1957, relating to the inspection of weighing and measuring devices by providing that the removal of any state seal or rejection notice on any measuring device shall be prima facie evidence of the guilt of the defendant; containing a repealing clause."	347, 348, 562, 572, 585, 663.
140	Introduced by Committee on Agriculture, Rice (Chairman): A bill for an act entitled: "An act to amend section 90-132, Revised Codes of Montana, 1947, as amended by chapter 130, laws of 1951, relating to the weight of commodities to be indicated on containers, by providing that all meat, meat products, fish and poultry shall be	

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	offered or exposed for sale by net weight except immediate consumption on the premises; containing a repealing clause."	317, 319, 591, 621.
141	Introduced by Committee on Agriculture, Rice (Chairman): A bill for an act entitled: "An act to amend section 90-140, Revised Codes of Montana, 1947, relating to the regulation of milk containers, by including therein the half-pint and one-quarter pint; containing a repealing clause."	317, 319, 347, 547, 550, 578.
142	Introduced by Committee on Agriculture, Rice (Chairman): A bill for an act entitled: "An act to amend section 60-202, Revised Codes of Montana, 1947, as amended by chapter 96, laws of 1957, relating to the license fees of petroleum products dealers by deleting the word 'retail'; providing a license fee for lubricating oil and grease measuring devices; providing a license fee for butane, propane or any liquefied petroleum gas meters 2½" or under; containing a repealing clause and effective date."	418, 419, 591.
143	Introduced by Committee on Agriculture, Rice (Chairman): A bill for an act entitled: "An act to amend section 3-202, Revised Codes of Montana, 1947, as amended by chapter 85, laws of 1957, relating to fees to be paid to state sealer of weights and measures, by providing for mechanically printed weight tickets for livestock markets and sales yards; containing a repealing clause."	348, 562.
145	Introduced by Mahoney (Sanders), Durkee: A bill for an act entitled: "An act to amend section 75-4609 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 120, Laws of 1953, relating to voting special levies on high school districts; providing that said special levies may be voted for the purpose of building, altering, repairing or enlarging any high school or high schools of said district or for proper maintenance and operation of the high schools of said district or for acquisition of land for high school purposes; repealing all acts and parts of acts in conflict herewith; providing for an effective date."	537, 539, 575, 621, 632, 789.
146	Introduced by Mahoney (Sanders): A bill for an act entitled: "An act to amend section 75-1716 of the Revised Codes of Montana, 1947, replacement volume four (4), relating to the emergency budgets of school districts; providing that the board of trustees of the school district shall determine when an emergency exists by reason of increased enrollment, or by destruction of school property by certain specified causes; providing	

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	that the school trustees shall hold a meeting to determine when an emergency exists; providing for a unanimous vote of all members of the board to declare an emergency and the entry thereof by resolution in their minutes; providing for publication of such resolution once in a newspaper in the district involved most likely to give notice thereof to the people of the school district or if there is no newspaper in the district then the same shall be published in the official county newspaper; providing for the making and adopting of a preliminary emergency budget when the members of the board of trustees find that an emergency exists; providing for the furnishing of copies of the emergency budget to the county superintendent of schools and to the board of county commissioners of the county concerned; providing for the changing of an approving of such emergency budget by the board of county commissioners of the county concerned; providing for a repealing clause."	537, 541, 575, 621, 633, 714.
148	Introduced by Harken, Dussault: A bill for an act entitled: "An act to regulate purity of water supply furnished inhabitants of cities or towns by persons, entities or municipalities; requiring approval of water users before fluoridation of any such water supply; and repealing all acts and parts of acts in conflict therewith."	286, 288, 403.
Sub. 149	Introduced by Committee on Highways and Transportation: A bill for an act entitled: "An act to amend sections 32-1018, 32-1019 and 32-1020 of the Revised Codes of Montana, 1947, to define the crime of using United States highways and state highways as a place for the pasturage or running of livestock, providing for exceptions and providing a penalty for the violation thereof, and repealing all acts and parts of acts in conflict herewith."	
150	Introduced by Bovey: A bill for an act entitled: "An act to amend sections 2, 3, and 4 of chapter 220 of the Session Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, as amended by sections 14, 15 and 16 of chapter 264 of the Session Laws of the Thirty-fourth Legislative Assembly of the State of Montana, 1955, relating to the licensing and regulation of refrigerated lockers; providing for the licensing and regulation of frozen food processing plants, and defining the same; repealing section 14 of chapter 220 of the Session Laws of the Thirtieth Legislative Assembly of the State of Montana, 1947, and all other acts or parts of acts in conflict herewith."	S-491, 492, 696, 700, 717, 789.

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Sub. 150	Introduced by Committee on State Boards, Offices and Buildings: A bill for an act entitled: "An act to amend sections 69-2802, 69-2803, and 69-2804 of the Revised Codes of Montana, 1947, as amended, relating to the licensing and regulation of refrigerated lockers to provide for the definition, licensing and regulation of frozen food processing plants; to provide for the repeal of section 69-2814 of the Revised Codes of Montana, 1947, and all other acts or parts of acts in conflict herewith."	
151	Introduced by Anderson (Lincoln): A bill for an act entitled: "An act to amend section 46-1501 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 103, laws of 1951, relating to the creation, size, location and dissolution of herd districts; to provide for herd district sizes to contain twelve (12) square miles, lying not less than one (1) mile in width, when located outside of incorporated cities. To provide for the repeal of all acts and parts of acts in conflict herewith."	317, 318, 613, 658, 672, 789.
152	Introduced by Nixon, Groff, Cole: A bill for an act entitled: "An act to amend section 82-107 of the Revised Codes of Montana, 1947, relating to the term of office of controller, to provide that the controller shall serve at the pleasure of the Governor; providing a repealing clause and providing for an effective date."	375, 376, 403, 470, 613, 632, 655, 674.
154	Introduced by Committee on Education: A bill for an act entitled: "An act to amend section 75-3804, Revised Codes of Montana, 1947, relating to the form and marking of ballots in school district elections; substituting the word 'district' for the words 'ten mill' in the form of the ballot; and repealing all acts and parts of acts in conflict herewith."	317, 318, 593, 621, 635, 796.
155	Introduced by Mahoney (Garfield), Carney, Harken: A bill for an act entitled: "An act to amend section 38-214 of the Revised Codes of Montana, 1947, relating to the hearing and examinations of persons submitted to the Montana State Hospital and fixing the procedure for determining who shall pay the cost and care of maintenance and fixing the amount the hospital may receive for care and maintenance; providing for the recovery from persons who have been received as an indigent person; repealing all acts and parts of acts herewith; providing for an effective date of this act."	537, 541, 571, 593, 616, 714.

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156	Introduced by McGowan, Anderson (Wibaux): A bill for an act entitled: "An act to amend section 53-615.1, Revised Codes of Montana, 1947 (enacted as section 1, chapter 251, laws of 1955) relating to three unit combinations—fees in lieu of—marking on tractors; providing that semi-trailer or trailers shall also be required to have marked thereon the total gross vehicle weight for which tax has been paid; repealing all acts or parts of acts in conflict herewith."	317, 319, 696, 700, 718, 789.
157	Introduced by Durkee, James, Cumming, Beley: A bill for an act entitled: "An act to amend initiative measure No. 54 adopted by the vote of the legal electors of the State of Montana at the regular general election held in the State of Montana on November 7, 1950, as amended by chapter 123, laws of 1953, and chapter 45, laws of 1957, relating to section 6 thereof, by providing a new date for applications for payment of the honorarium to be December 31, 1959, repealing all acts and parts of acts in conflict herewith, and containing an effective date."	286, 288, 354, 547, 550, 578.
165	Introduced by Bovey: A bill for an act entitled: "An act to amend section 53-623, Revised Codes of Montana, 1947, relating to violation of act which regulates additional fees on vehicles—penalty—excess weight—unloading or payment of deficiency; providing that the gross laden weight of a vehicle shall not exceed the gross weight marked upon the vehicle or exceed the gross weight shown on the owner's certificate of registration and tax receipt pursuant to section 53-107, Revised Codes of Montana, 1947, as amended, or as is shown on the gross weight receipt pursuant to section 53-620, Revised Codes of Montana, 1947; repealing all acts or parts of acts in conflict herewith."	417, 419, 696, 700, 717, 796.
166	Introduced by Bovey: A bill for an act entitled: "An act to amend section 53-617 Revised Codes of Montana, 1947, relating to sales tax on new passenger vehicles; providing that the State Highway Commission may use any available price list if the manufacturer or importer fails to furnish a price list; repealing all acts and parts of acts in conflict herewith."	317, 319, 561, 572, 585, 663.
167	Introduced by Bovey: A bill for an act entitled: "An act to amend section 53-620, Revised Codes of Montana, 1947, relating to the blank forms furnished county treasurers; providing that the State Highway Commission shall furnish county treasurers all forms necessary to carry out the provi-	

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	sions of the act; providing that the county treasurer shall issue only receipts furnished or authorized by the Highway Commission; providing that the gross vehicle weight division of the State Highway Commission shall issue the gross vehicle weight plates to the owner of the named vehicle; providing that it shall be the duty of the owner or operator to carry the gross vehicle fees receipt with him at all times and to exhibit the receipt on demand; providing a penalty; providing for constitutionality; repealing all acts or parts of acts in conflict herewith; providing effective date of act."	348, 696, 700.
168	Introduced by Mahoney (Sanders), Cumming: A bill for an act entitled: "An act to amend section 92-104, Revised Codes of Montana of 1947, as amended by chapter 161 of the Laws of Montana, 1953, and section 92-108, Revised Codes of Montana of 1947, relating to the membership of the industrial accident board, the salaries of the members of the board, and repealing all acts or parts of acts in conflict herewith."	490, 492, 669, 700, 706, 731, 736, 783, 819.
169	Introduced by Mahoney (Garfield), Brenner, Manning: A bill for an act entitled: "An act to amend sections 75-3618 as amended by chapter 272, laws of 1955, 75-1723, 75-3616 and 75-3706, Revised Codes of Montana, 1947, providing for an increase to fifteen (15) mills in the county wide common school levy and providing for the repeal of the school district five (5) mill common school levy and repealing all acts and parts of acts in conflict herewith."	375, 376, 640, 665, 673, 731, 736, 783, 799.
Sub. 170	Introduced by Committee on Mines and Mining: A bill for an act entitled: "An act to add to the coal mining code of the State of Montana so that it will permit roof bolting suitable to the roof conditions in coal mines, in the same terms as set forth in the federal mine safety code for underground bituminous coal and lignite mines of the United States; adding other safety provisions from the federal mine safety code to the coal mining code of the State of Montana; and repealing all acts and parts of acts in conflict herewith."	
171	Introduced by Mahoney (Garfield): A bill for an act entitled: "An act providing for a section to be known as section 3-2011 and authorizing the Commissioner of Agriculture to issue stop sale, use or removal orders on commercial feed; providing a penalty for violation of any order and containing a repealing clause."	356, 562, 572, 586, 663.

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172	Introduced by Mahoney (Garfield): A bill for an act entitled: "An act to repeal sections 3-1801 through and including 3-1807, Revised Codes of Montana, 1947, relating to the licensing of hay dealers; providing an effective date of this act."	356, 562, 572, 586, 663.
173	Introduced by Mahoney (Garfield): A bill for an act entitled: "An act to amend section 3-228, Revised Codes of Montana, 1947, relating to the licensing of public grain warehousemen by requiring public warehousemen to carry insurance approved by the Commissioner of Agriculture to protect the holders of warehouse receipts from loss; containing a repealing clause."	356, 357, 562, 573, 586, 714.
174	Introduced by McKenna (Judith Basin): A bill for an act entitled: "An act to amend section 25-236 of the Revised Codes of Montana, 1947, relating to the fees of coroners, providing that for each day or fraction of day engaged in making an investigation relative to a death, whether an inquest is later held or not, the coroner is entitled to receive the fee of fifteen dollars (\$15.00); for each day or fraction of day engaged in holding an inquest, said coroner is entitled to receive the fee of fifteen dollars (\$15.00); containing a limitation upon the number of day's fees that will be allowed for such investigation and inquest, and repealing all acts or parts of acts in conflict herewith."	317, 318, 629.
175	Introduced by Keller, Clark, McDonnell, Grant, Harken, Lehrkind, Brownfield, Spear, Sagunsky, Scofield, Hagenston, McGowan: A bill for an act entitled: "An act to protect livestock from injury by dogs; providing that it shall be unlawful to keep a dog over the age of three (3) months without an identifying license tag; providing for the issuance of dog license tags by county treasurers and the fee therefor; providing for the issuance of dog license tags by municipal corporations under the provisions of this act; providing for the impounding of unlicensed dogs running at large by law enforcement officers and a fee therefor; providing that it shall be unlawful to kill, injure or impound any dog whose owner has complied with this act, except as otherwise provided; providing that it shall be unlawful to permit dogs to run at large between sunset and sunrise or on any farm or ranch whereon livestock or poultry is kept without consent of the occupant; providing that any person may kill a dog killing or worrying livestock or poultry and that no civil or criminal action may be maintained against him therefor, unless such dog is within the corporate limits of any city or town; providing that county commissioners shall provide for	

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	the impounding and disposition of dogs running at large contrary to the provisions of this act, and authorizing them to appoint a county pound master to enforce this act or to enter into contracts with others to perform such duties; providing that impounded dogs shall not be disposed of without notice to the owner, if known, or before seventy-two (72) hours have elapsed after impounding; providing for the seizing and impounding of dogs found straying on lands whereon livestock or poultry is kept by the owner or occupant of such lands or his employees; providing for the fixing of pound fees and charges by the Board of County Commissioners and the payment thereof from the county treasury or by the owner of such impounded dog; providing that failure of the owner of a dog to pay pound fees and charges after notice of impounding constitutes abandonment of the dog; providing that fees and fines collected under this act shall be paid into the county treasury and constitute a livestock protection fund for the enforcement of this act; providing that violation of this act shall constitute a misdemeanor and prescribing the penalties therefor; providing that the owner of livestock or poultry killed or injured by a dog or dogs may recover double damages from the owner or owners thereof and that lack of knowledge of the dog's disposition or whereabouts shall constitute no defense to said action; defining the word 'owner' in relation to dogs; providing that if any part of this act is adjudged invalid, inoperative or unconstitutional, such decision shall not affect, impair or invalidate the remaining portions of this act; and providing for the repeal of all acts and parts of acts in conflict herewith.".....	538, 544, 548, 613, 615, 632, 645, 649, 699, 701, 706, 796.
Sub. 175	Introduced by Committee on Public Health and Safety: A bill for an act entitled: "An act to protect livestock from injury by dogs; providing that it shall be unlawful to keep a dog over the age of five (5) months without an identifying license tag; providing for the issuance of dog license tags and kennel licenses by county treasurers and the fees therefor; providing for the issuance of dog license tags by municipal corporations under the provisions of this act; providing for the impounding of unlicensed dogs running at large by law enforcement officers and a fee therefor; providing that it shall be unlawful to kill, injure or impound any dog whose owner has complied with this act, except as otherwise provided; providing that it shall be unlawful to permit dogs to run at large on any farm or ranch whereon livestock or poultry is kept without consent of the occupant; providing that any livestock or poultry owner or his agent may kill a dog	

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	<p>killing or pursuing livestock or poultry on premises not controlled by the owner of the dog, and for the reporting thereof, unless such dog is within the corporate limits of any city or town; providing that county commissioners may provide for the impounding and disposition of dogs running at large contrary to the provisions of this act, and authorizing them to appoint a county pound master to enforce this act or to enter into contracts with others to perform such duties; providing that impounded dogs shall not be disposed of without notice to the owner, if known, or before seventy-two (72) hours have elapsed after impounding nor, in the case of dogs suspected of rabies, before release by the county health officer; providing for the seizing and impounding of dogs found straying on lands whereon livestock or poultry is kept by the owner or occupant of such lands or his employees; providing for the fixing of pound fees and charges by the board of county commissioners and the payment thereof from the county treasury or by the owner of such impounded dog; providing that failure of the owner of a dog to pay pound fees and charges after notice of impounding constitutes abandonment of the dog; providing that fees and fines collected under this act shall be paid into the county treasury and constitute a livestock protection fund for the enforcement of this act; providing that violation of this act shall constitute a misdemeanor and prescribing the penalties therefor; providing that the owner of livestock or poultry killed or injured by a dog or dogs may recover double damages from the owner or owners thereof and that lack of knowledge of the dog's disposition or whereabouts shall constitute no defense to said action; defining the word 'owner' in relation to dogs; providing that if any part of this act is adjudged invalid, inoperative or unconstitutional, such decision shall not affect, impair or invalidate the remaining portions of this act; and providing for the repeal of all acts and parts of acts in conflict herewith."</p>	
177	<p>Introduced by Harken, Bovey: A bill for an act entitled: "An act to amend section 32-1616, Revised Codes of Montana, 1947, relating to the selling of lands by the State Highway Commission and the procedure therefor; providing that the State Highway Commission may exchange real property acquired by the state for other needed lands; providing for the sale of personal property; providing that the commission shall also have the power to sell printed matter and to set a reasonable price therefor; by repealing all acts or parts of acts in conflict herewith."</p>	444, 696, 700, 718, 789.

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181	Introduced by Minette: A bill for an act entitled: "An act to amend section 71-1207, Revised Codes of Montana, 1947, replacement volume 4, relating to the investigation of applications from permanently and totally disabled persons by the county welfare department; providing that old age recipients who are enrolled members of the recognized Indian tribes may receive not to exceed one hundred dollars (\$100.00) in any one calendar year as per capita payment from tribal lands or tribal profits, without affecting the amount of their assistance; providing for a repealing clause; and providing for an effective date of this act."	537, 539, 561, 570, 573, 587, 663.
182	Introduced by Minette: A bill for an act entitled: "An act to amend section 71-509, Revised Codes of Montana, 1947, replacement volume 4, relating to the periodic reconsideration and changes in amount of assistance under the public welfare act, part 4—aid to needy dependent children, providing that needy dependent children who are enrolled members of the recognized Indian tribes may receive not to exceed one hundred dollars (\$100.00) in any one calendar year, as per capita payment from tribal lands or tribal profits, without affecting the amount of their assistance; and providing for a repealing clause."	491, 493, 575, 621, 635, 714.
183	Introduced by Minette: A bill for an act entitled: "An act to amend section 71-607, Revised Codes of Montana, 1947, replacement volume 4, relating to the county welfare board and providing that the amount of assistance to a needy blind person shall be determined by the county welfare board; providing that needy blind recipients who are enrolled members of the recognized Indian tribes may receive not to exceed one hundred dollars (\$100.00) in any one calendar year, as per capita payment from tribal lands, or tribal profits, without affecting the amount of their assistance; providing for a repealing clause."	491, 493, 562, 573, 587, 714.
184	Introduced by Ruane (by request): A bill for an act entitled: "An act to amend section 4-403, Revised Codes of Montana, 1947, as amended by section 1, chapter 164, Session Laws 1949; as amended by section 1, chapter 144, Session Laws 1951; as amended by section 1, chapter 56, Session Laws 1955; relating to the powers of the Montana liquor control board in the issuing of retail liquor licenses; providing that subsection (2) of section 4-403, Revised Codes of Montana as amended, will be repealed; providing for a repealing clause; and providing for an effective date."	537, 540, 659, 700, 716, 796.

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185	Introduced by Ruane (by request): A bill for an act entitled: "An act to amend section 4-333, Revised Codes of Montana, 1947, as amended by section 1, chapter 165, Session Laws, 1949; as amended by section 1, chapter 55, Session Laws, 1955; relating to powers of the Montana liquor control board in the issuing of retail beer licenses, the number of such licenses that may be issued; providing for the repeal of subsection (3) of section 4-333, Revised Codes of Montana, 1947, as amended; providing for a repealing clause; and providing for an effective date.".....	537, 539, 659, 700, 715, 796.
186	Introduced by Ruane (by request): A bill for an act entitled: "An act declaring that the acceptance or solicitation of money or other considerations in connection with any contract for the advertising of real property by misrepresentation or by failing to disclose facts pertinent to such contract is a felony and prescribing a penalty; containing a repealing clause."	537, 541, 575, 621, 635, 714.
189	Introduced by Reardon: A bill for an act entitled: "An act amending section 92-1005 of the Revised Codes of Montana of 1947 as amended by chapter 176 of the Laws of Montana of 1957 relating to the assessment of insurers insuring employers who elect to become bound by compensation plan two of the workmen's compensation act, and repealing all acts and parts of acts in conflict herewith."	537, 540, 619, 658, 673, 796.
190	Introduced by Carney, Brenner, McGowan: A bill for an act entitled: "An act to amend section 84-1817 of the Revised Codes of Montana, 1947, replacement volume five (5), as amended by section one (1), chapter one hundred thirteen (113) of the session laws of 1957, relating to the method for the determination, allotment and apportionment of the state highway fund for construction purposes; providing for the allotment of state construction funds for the federal aid interstate highway system; providing for apportionment of state funds to finance districts; providing that the definition of the value of rural lands shall include the value of state owned lands from which the state derives grazing, timber and agriculture income; providing that the basis for the value of rural lands shall be from figures in the latest biennial report of the Montana State Board of Equalization and the basis for the figure of state owned lands shall be from figures submitted by the commissioner of state lands and investments on the total grazing, timber and agricultural lands of each county; providing for a repealing clause.".....	537, 542, 562, 573, 588, 714.

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191	Introduced by James, Hibbs: A bill for an act entitled: "An act to amend section 23-902 of the Revised Codes of Montana, 1947, as amended by section 12 of chapter 214 of the session laws of the 33rd Legislative Assembly 1953, and as amended by section 1 of chapter 266 of the session laws of the 34th Legislative Assembly 1955; to amend section 23-909 of the Revised Codes of Montana, 1947, as amended by section 2 of chapter 266 of the session laws of the 34th Legislative Assembly 1955; to amend section 23-1006 of the Revised Codes of Montana, 1947, as amended by chapter 55 and by section 14 of chapter 214 of the session laws of the 33rd Legislative Assembly 1953, and as amended by section 5 of chapter 266 of the session laws of the 34th Legislative Assembly 1955, relating to primary elections, the purpose thereof, candidates to be nominated, providing that political party nominations still be made exclusively as herein provided, providing for holding state conventions and membership thereof."	537, 542, 630, 674, 699, 704, 796.
192	Introduced by Cotton: A bill for an act entitled: "An act to amend section 71-409 of the Revised Codes of Montana, 1947, relating to payments of old age assistance to a guardian; to provide for an investigation of the manner in which assistance payments are being utilized by the recipient, and providing for the appointment by the district court of a competent person as guardian of the assistance grant in behalf of the recipient; to amend section 71-614 of the Revised Codes of Montana, 1947, relating to payment of aid to needy blind to a guardian; to provide for an investigation of the manner in which assistance payments are being utilized by the recipient, and providing for the appointment by the district court of a competent person as guardian of the assistance grant in behalf of the recipient; and, to amend section 71-1209 of the Revised Codes of Montana, 1947, relating to payment of aid to the permanently and totally disabled to a guardian; to provide for an investigation of the manner in which assistance payments are being utilized by the recipient, and providing for the appointment by the district court of a competent person as guardian of the assistance grant in behalf of the recipient; and repealing all acts and parts of acts in conflict herewith."	537, 542, 696.
193	Introduced by Anderson (Lincoln): A bill for an act entitled: "An act to amend section 66-503, Revised Codes of Montana, 1947, relating to the powers and duties of the state board of chiropractic examiners of the State of Montana and providing that the state board shall have the power to approve and disapprove of the various schools	

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	of chiropractic for the qualifications of license applicants in the State of Montana; providing that the board, in its inspection and in its determination, of the qualifications of the various schools may utilize the qualified fact finding and accrediting agencies; and containing a repealing clause."	539, 564, 592, 615, 621, 622, 623, 636.
194	Introduced by Anderson (Lincoln), Cumming: A bill for an act entitled: "An act to amend section 69-1807, Revised Codes of Montana, 1947, relating to fire extinguisher requirements for buildings within the scope of chapter 18 of title 69, Revised Codes of Montana, 1947, to prohibit use of fire extinguishers containing toxic or poisonous vaporizing liquids."	356, 357, 614, 658, 659, 674, 703, 796.
197	Introduced by Michels (by request): A bill for an act entitled: "An act to amend chapter 20, title 32, of the Revised Codes of Montana, 1947, by adding thereto a new section to be numbered 32-2009.1; providing that no commercial enterprise serving motor vehicle users shall be constructed or located within the limits of a controlled access facility; and containing a repealing clause."	SS-418, 420, 575, 621, 636, 714.
Sub. 197	Introduced by Committee on Highways and Transportation: A bill for an act entitled: "An act to amend chapter 20, title 32, of the Revised Codes of Montana, 1947, by adding thereto a new section to be numbered 32-2009.1; providing that no commercial enterprise or structure shall be constructed, located or operated within the limits of a right of way or a controlled access facility; and containing a repealing clause."	
198	Introduced by Brownfield, Anderson (Wibaux), Mahoney (Garfield), Harken, Carney, Cotton: A bill for an act entitled: "An act to amend section 82-1002, Revised Codes of Montana, 1947, and section 82-1009, Revised Codes of Montana, 1947, to provide that it is the specific duty of the state examiner to annually audit the books and accounts of the various units of the University of Montana, providing that the state examiner shall report the result of the annual audit of the various units of the University of Montana to the Governor and the attorney general, providing that the state examiner shall report the audit of the various units of the University of Montana for each biennium to the regular sessions of the Legislative Assembly, providing that the various laws applicable to the examination of the books	

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	and accounts of state and county officers, shall apply to the annual audit of the books and accounts of the various units of the University of Montana, and repealing all acts and parts of acts in conflict with this act."	621.
Sub. 198	Introduced by Committee on Education: A bill for an act entitled: "An act to amend sections 82-1002 and 82-1009, Revised Codes of Montana, 1947, to provide that it is the specific duty of the state examiner to audit annually all books and all accounts of the various units of the University of Montana; providing that the state examiner shall report in writing the result of the annual audit of the various units of the University of Montana to the Governor, the attorney general, the state board of education and which report shall be made available to the regular Legislative Assembly hereafter convened by a specified date; providing that the various laws applicable to the examination of the books and accounts of state and county officers, shall apply to the annual audit of all books and all accounts of the various units of the University of Montana; and repealing all acts and parts of acts in conflict with this act."	
199	Introduced by Carney, Cotton, Michels: A bill for an act entitled: "An act to amend section 32-1603, Revised Codes of Montana, 1947, relating to the duties of the Highway Commission, requiring the commission to submit to the Legislature and the Governor a biennial report of its activities, and repealing all acts and parts of acts in conflict herewith."	367, 562, 573, 588, 663.
200	Introduced by Hagenston, Cotton, Hofland, McGowan: A bill for an act entitled: "An act requiring the labeling of all containers of paints, varnishes, roof coatings and other protective and decorative materials offered for sale, sold, or shipped in interstate transactions within the state; providing for the inspection and analysis of paints, varnishes, roof coatings and other protective and decorative materials by a chief chemist designated by the Department of Agriculture; providing for penalties for violation of this act."	356, 547, 551, 578.
201	Introduced by Dussault (by request): A bill for an act entitled: "An act adopting and inserting a new chapter 2601 in title 93, Revised Codes of Montana, 1947, the uniform reciprocal enforcement of support act as amended by the national conference of commissioners on uniform states laws in 1948; providing additional remedies for enforcement of duties of support; providing for criminal enforcement by extradition; providing for civil enforcement where parties reside in	

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	different states or in different counties of Montana; providing for registration and enforcement of foreign support orders and support orders issued in different counties of Montana; and repealing sections 94-901 to 94-901-18, inclusive, of the Revised Codes of Montana, 1947."	418, 420, 562.
SENATE JOINT MEMORIALS		
1	Introduced by Beley, Harken, Nixon, Mahoney (Sanders), Groff, LaCombe, Keister, Bovey, Lehrkind, McGowan, Grandey, Goodwin, Hofland, Hibbs, Streeter, Spear, Anderson (Wibaux), Siderius, Clark, Reardon, Mannix, Hagenston, Wilson, Rice, Cole, Cumming, Durkee, Minette, Cotton, Grant, Thiessen, Stein, McKenna (Judith Basin), Brenner, James, Scofield, Mackay, Brownfield, Robinson, Mahoney (Garfield), Sagunsky, Ruane, Manning, Rieder, Anderson (Lincoln), Ringling, Michels, McKenna (Fergus), Nees, Balgord, Dussault, McDonnell: A Joint Memorial by the Senate of the Thirty-sixth Legislative Assembly of the State of Montana, the House of Representatives concurring, to the Congress of the United States; the Honorable James E. Murray, United States Senator from Montana; the Honorable Mike Mansfield, United States Senator from Montana; the Honorable Lee Metcalf, Congressman from Montana; the Honorable LeRoy Anderson, Congressman from Montana; and the Federal Communications Commission to take such remedial action as deemed necessary to preclude the closing of very high frequency booster stations necessary for television reception in areas of the State of Montana.	138, 143, 236, 251, 256, 292, 489.
2	Introduced by Sagunsky: A Joint Memorial of the Senate and the House of Representatives of the State of Montana to the Congress of the United States; Honorable James E. Murray and Honorable Mike Mansfield, United States Senators of Montana; Honorable Lee Metcalf and Honorable LeRoy Anderson, members of the House of Representatives of Montana, the Committee on Interior and Insular Affairs of the United States Senate; the Committee on Interior and Insular Affairs of the United States House of Representatives; the Secretary of the Interior; and the United States Commissioner of Reclamation, urging that the Congress reject the program of the United States Bureau of Reclamation, as set forth in its report on the Three Forks division, Missouri River basin project, insofar as it relates to the diversion of water from the Madison River and that the Congress assure the preservation of recreational and fishery resources values of the Madison River valley.	237, 239, 354, 547, 549, 612.

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3	Introduced by Mahoney (Garfield), Cotton, Thiesen, Nixon: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States; Honorable James E. Murray and Honorable Mike Mansfield, Senators from the State of Montana; Honorable Lee Metcalf and Honorable LeRoy Anderson, Representatives in Congress from the State of Montana; urging the United States Congress to investigate and study the supply, control, allocation and use of the Missouri basin waters and power.	317, 320, 621, 636, 796.
4	Introduced by Hibbs, Mackay, Brenner, Brownfield: A Joint Memorial by the Senate and the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana to the Governor of the State of Montana and to the heads of all departments of the state government of the State of Montana relating to a good business climate in the State of Montana.	317, 320, 641.

SENATE JOINT RESOLUTIONS

1	Introduced by James, Hibbs: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the First Legislative Assembly of the State of Alaska, to its officers and members thereof, congratulating the First Assembly of the State of Alaska, on its initial session and offering and extending to the Assembly the aid, cooperation and help of the Senate and House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana; and extending an invitation to the officers and members of the First Legislative Assembly of the State of Alaska to visit the Thirty-sixth Legislative Assembly of the State of Montana now in session; directing the Secretary of the Senate to forward copies of this resolution to the First Legislative Assembly of the State of Alaska.	237, 238, 381, 547, 549, 612.
2	Introduced by Beley, Cumming, Durkee: "A Resolution by the Senate of the Thirty-sixth Legislative Assembly of the State of Montana to the Honorable Dwight D. Eisenhower, President of the United States; to the Honorable Neil McElroy, Secretary of Defense; to the President of the Senate of the United States; to the Speaker of the House of Representatives of the United States; to the Honorable James E. Murray, Senator from Montana; to the Honorable Mike Mansfield, Senator from Montana; to the Honorable Lee Metcalf, Congressman from Montana; to the Honorable LeRoy Anderson, Congressman from Montana; to the Honorable Richard B. Russell, Senator from Georgia and Chairman of the Senate	

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	Armed Services Committee; and to the Honorable Carl Vinson, Congressman from Georgia and Chairman of the House of Representatives Armed Services Committee urging that the President and the Congress assure the people of the State of Montana that the National Guard of the United States as recognized and established in the Constitution and Laws of the United States will be preserved; and that no unilateral federal action concerning the National Guard of the United State reducing in strength or units will be taken without prior consultation and approval of the state acting by and through the Governor thereof."	237, 239, 260, 272, 275, 307.
3	Introduced by Thiessen, Cotton, James, Rieder, Rice: Thirty-sixth Legislative Assembly, 1959. A Joint Resolution of the Senate, the House of Representatives concurring, of the State of Montana, authorizing and encouraging continued and extended study by the Montana Legislative Council and the State Board of Health of the problems occasioned by the narcotic-like substances, and particularly, further study of the problems of alcoholism and to report their findings and recommendations for the prevention and cure of alcoholism to the Thirty-seventh Legislative Assembly of the State of Montana.	538, 546, 589, 669, 705, 796.
4	Introduced by Durkee, Cotton, Hagenston, Siderius, Anderson (Lincoln), Michels, Thiessen, Clark, Reardon, Morrow: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the President of the United States; to the Congress of the United States; to Senators James E. Murray and Mike Mansfield from the State of Montana; to Congressmen Lee Metcalf and LeRoy Anderson from Montana; requesting the reaffirmation of national policy of federal financial support for education.	538, 546, 557, 558, 573, 588, 663, 755, 756.
5	Introduced by McGowan: A Joint Resolution of the Senate and of the House of Representatives of the State of Montana requesting that the Governor of the State of Montana instruct and require all executive departments to prepare and have ready for submission any requests for legislative action upon the first day of the legislative session.	538, 546, 552, 563, 564, 570, 579, 663.

HOUSE JOURNAL

of the

Thirty-sixth Legislative Assembly

of the

State of Montana

FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 5, 1959

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana, was called to order by the Honorable Frank Murray, Secretary of State of the State of Montana, who extended greetings to the assembly on behalf of the State of Montana.

The Secretary of State then appointed Reverend Paul E. Caskey of Whitehall, Montana, Temporary Chaplain; Mr. Claude Gray of Big Timber, Montana, Temporary Sergeant-at-Arms; Mr. Allen Donohue of Great Falls, Montana, Temporary Chief Clerk; and Mrs. Rosemary Acher of Helena, Montana, Temporary Journal Clerk.

Invocation was given by the Reverend Paul E. Caskey.

The Chief Clerk called the roll and the members presented their certificates of election.

The Honorable Albert H. Angstman, Associate Justice of the Supreme Court of the State of Montana, having been introduced by the Secretary of State, administered the following oath:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office with fidelity; that I have not paid or contributed or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than compensation allowed by law, SO HELP ME GOD."

Thereupon the following members, having presented their certificates of election, subscribed to the foregoing oath:

Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Barrett, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy,

Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, MacDonald, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wold, Wood, Woodring, Wright.

All members were present.

The Secretary of State called for nominations for Speaker of the House of Representatives. Cerovski of Fergus County nominated John J. MacDonald of Garfield County. Haines of Missoula County nominated Sumner Gerard of Madison County.

The following votes were cast for MacDonald:

Aasheim, Abel, Angstman, Bardanouve, Barnard, Barnes, Barrett, Bashor, Bradford, Casey, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gerard, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Lees, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden (Lincoln), Sheldon (Flathead), Strnisha, Tonner, Wayrynen, Wold, Wood, Woodring. Total 62.

The following votes were cast for Gerard:

Anderson, Babcock, Battin, Bentz, Broeder, Cavan, Corcoran, Elting, Felt, Fjare, Fladager, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Leuthold, Loman, MacDonald, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Reinecke, Sales, Walton, Wright. Total 32.

Absent and not voting: None.

John J. MacDonald was elected as Speaker for the session. Cerovski of Fergus County and Gerard of Madison County were appointed to escort the newly elected Speaker to the rostrum.

Cerovski of Fergus County moved that the Rules, Joint Rules and Order of Business of the Thirty-fifth Legislative Assembly be adopted as the Rules, Joint Rules and Order of Business of the Thirty-sixth Legislative Assembly subject to future action by this body. Motion carried.

It was moved by Cerovski that the following Democratic nominees be elected as officers and attaches of the House of Representatives of the Thirty-sixth Legislative Assembly:

Speaker Pro-Tem.....	John Emmons
Majority Floor Leader.....	Charles Cerovski
Chief Clerk.....	Allen Donohue
Sergeant-at-Arms.....	Claude Gray
Chaplain.....	Rev. Paul E. Caskey

It was moved by Gerard of Madison County that the following Republican nominees be elected as officers and attaches of the House of Representatives:

Speaker Pro-Tem.....	James R. Felt
Chief Clerk.....	Frank Hazelbaker
Sergeant-at-Arms.....	Bill Gregory
Chaplain.....	Rev. Nels Norbeck

A substitute motion was made by Cerovski, and carried, that the House cast sixty-two votes for the Democratic nominees and thirty-two votes for the Republican nominees.

Motion was made by Cerovski that the Speaker appoint a committee to notify His Excellency, the Governor, that the House is now organized and ready to receive any message he wishes to deliver, and also to learn the time set for the message. Motion carried.

The Speaker appointed the following as the committee to notify the Governor: Loughran, Chairman; Schwinden, Vice-Chairman; Gilfeather, Gleed, Nichols.

It was moved by Cerovski, and carried, that a committee be appointed to notify the Honorable Senate that the House is now organized and ready to transact business. The Speaker appointed the following committee: Daniels, Chairman; Parker, Vice-Chairman; Page (Granite), Kiff, Haines (Missoula).

Motion was made by Cerovski that the Speaker, and the Majority and Minority Floor Leaders be ex-officio members of all committees. Motion carried.

Motion was made by Cerovski, and carried, that in order for the Committees just appointed to visit the Governor and the Senate, the House recess subject to the call of the Chair. House recessed.

The House resumed business at 1 p. m. with the Speaker in the Chair.

The committee appointed to notify the Governor that the House was organized, reported that it had so notified the Governor and that he had stated he would deliver his message on Tuesday, January 6th, at 1:30 p. m. The committee was discharged.

The committee appointed to notify the Senate that the House was organized, reported that the message had been conveyed. The committee was discharged.

A committee from the Senate consisting of Senators Durkee, Hagenson, Mahoney (Sanders), Scofield and Anderson (Wibaux), was admitted and informed the House that the Senate was in session and ready for business, and sent felicitations to the House.

The Speaker made the following committee appointments:

Committee on Employment: Loughran, Chairman; Emmons, Vice-Chairman; Holding, Clowes, Sales.

Committee on Seating, Mileage and Per Diem: Langston, Chairman; McOmber, Vice-Chairman; Wood, Sheehy, Broeder.

Motion was made by Cerovski that the House revert to the Order of Business for the introduction of bills. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times and referred to the Committee on Social Security, when appointed:

House Bill No. 1, introduced by Glancy et al.: A bill for an act entitled: "An act to authorize and direct that an agreement be entered into between the unemployment compensation commission and the United States department of labor providing for temporary additional payments to individuals who have exhausted their rights to unemployment compensation."

Motion was made by Cerovski, and carried, that the House adjourn until 12:30 p. m. Tuesday, January 6, 1959.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 6, 1959

House convened, pursuant to adjournment, at 12:30 p. m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

The Speaker announced the following committee appointments:

Committee on Rules, Joint Rules and Order of Business: Cerovski, Chairman; Barrett, Vice-Chairman; Mr. Speaker, Gerard, Anderson.

Committee on Journal: Eskildsen, Chairman; Nees, Vice-Chairman; Kiff.

Mr. Speaker: We, the Committee on Journal, having examined the Journal for the First Legislative Day, find the same to be correct.

ESKILDSEN, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the membership of the Appropriations Committee be increased from 15 to 17 members. Motion carried.

The following motion was made by Gerard:

Whereas, the 33rd, 34th and 35th Legislative Assemblies appropriated funds to be utilized to defray the cost of construction of a suitable home for the Governor of the State of Montana; and

Whereas, it has been the responsibility of the State Board of Examiners, and a majority of the members thereof, to effectuate in a timely and economical manner the construction of said Governor's mansion within the financial limitations established by the said legislative appropriations; and

Whereas, despite the fact that approximately \$184,678.00 have been expended to date over a six-year period, the construction, furnishing and landscaping of said building is not complete; and

Whereas, it is anticipated that a request will be made of this Legislative Assembly that it appropriate additional funds in substantial amounts to be expended to furnish and decorate the interior of the said mansion and to landscape the grounds upon which it stands; and

Whereas, one of the main reasons for the delay in completion of said building appears to be the failure of the said Board of Examiners to acquire, in a timely manner, suitable property adjacent to the State Capitol grounds upon which to construct the said building; and

Whereas, the people of the State of Montana have criticized the manner in which the State Board of Examiners and a majority of the members thereof, have supervised the expenditure of the said funds; and

Whereas, the people of the State of Montana have further been critical of the unreasonable delay in completing the said building and making it ready for occupancy.

Now, therefore, Mr. Speaker, we hereby move that the Speaker of the House of Representatives be empowered to appoint a special investigating committee, consisting of three Republican and three Democrat members of this House for the purpose of investigating the manner in which the State Board of Examiners and a majority of the members thereof, have expended the said funds, purchased property for and supervised the construction of the said building, and to determine, among other things, the reasons for the apparent excessive and unreasonable cost of the said structure and the reasons for the excessive delay in completion of the said Governor's mansion.

We further move that said committee be empowered by suitable process from this House of Representatives to hold hearings, subpoena witnesses, administer oaths and appoint subcommittees from its membership with like authority; that suitable quarters and all necessary aid be provided to said committee for studying the problems above outlined; that all items of expense be returned by said committee with its report, and that the sergeant-at-arms of this House of Representatives be authorized and directed to pay all expenses necessarily incurred by the membership of said House of Representatives upon presentation to the said sergeant-at-arms of proper voucher signed by the chairman of said committee; that said committee be empowered to do any and all things necessary to conduct said study and that it report its findings and recommendations back to the House of Representatives not later than the 58th day of the 36th session.

GERARD,
ANDERSON,
FELT,
CAVAN,
GLEED,
SALES.

Gerard requested a roll call vote and asked that the results thereof be spread in full upon the Journal. Ten seconds were called for, and arose.

A substitute motion was made by Cerovski that consideration of the above motion be passed for the time being, with the understanding that the same would be the first order of business at the next meeting of the House. Substitute motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first time by title, second time at length, and referred to the Appropriations Committee:

House Bill No. 2, introduced by Barnard: A bill for an act entitled: "An act to appropriate money for the legislative assembly and for the payment of per diem to the officers and attaches and for incidental expenses of the thirty-sixth legislative assembly of the State of Montana."

Motion was made by Cerovski that the House recess awaiting the arrival of His Excellency, the Governor, who was scheduled to give his biennial message at this time, before a joint session of the Senate and the House.

House recessed.

House resumed. Mr. Speaker in the Chair.

The Honorable Senate entered and were escorted to seats reserved for them.

The President of the Senate in the Chair. The joint session was called to order, and on roll call all members of the Senate and the House were present.

The President appointed the following committee of five, consisting of two Senators and three Representatives, to inform the Governor that the Senate and House of Representatives had convened in joint assembly and were ready to hear his message: Senator Bovey, Senator Robinson, Representative Barnes, Representative Strnisha, and Representative Howard.

His Excellency, Governor J. Hugo Aronson, then appeared and was escorted to the rostrum. After having been presented to the assembly by the President of the Senate, he delivered the following address:

Mr. President, Mr. Speaker and members of the Thirty-sixth Legislative Assembly:

Today, as is required by our laws, the executive and legislative branches of our state government come face to face. This is an extremely important occasion. It is important not just for its tradition or ceremony, but because our State of Montana faces a crucial financial situation.

I could probably sum up the problem and the heart of my fourth State of the State message in just three words—BALANCE THE BUDGET.

A balanced budget, as you all know, is required by the Constitution of the State of Montana in Article 12, Section 12. The people of our great state are watching this legislative assembly. They expect, and rightfully so, that you and their governor will work together for the good of the State of Montana.

I want to repeat what I said in my first State of the State message in 1953. "Every decision, every vote, every goal, every ambition must be weighed with only one thought in mind: WHAT IS BEST FOR MONTANA?"

Today, I pledge that I will continue to operate on that basis and hope you will join me. We are all believers in our two-party system, which has made this state and nation great. But now is a time to put partisanship aside and work toward ending this legislative session with a balanced budget.

This is no time for reckless spending. The Congress in Washington, D. C., will undoubtedly increase our federal taxes. You already know the high tax burden Montanans bear at the local level. Don't compound this at the state level. This is a time for economy—a time for living within our means.

You have the sole power to tax. You have the sole power to spend. This is a grave responsibility. But it must be met.

I only wish that I could report to you that the budget is balanced, as I did two years ago. However, the deficit will reach at least five and one-half million dollars by the end of the current biennium on June 30, 1959. The state controller's office reports a general fund deficit of 3.4 million dollars (\$3,395,238.96) at the end of 1958.

Requests from the general fund are at an all-time high. They total \$105,890,284.48. Estimated income is 64 million dollars. Just six short years ago I was shocked to find general fund requests totaling nearly 51 million dollars (\$50,748,651). Now these have more than doubled.

Today it is even more imperative that you balance the budget, while making up the deficiency left by the last legislature.

I should stress that this record figure is requests, and not an executive budget, with which I will deal later in this message. It can and must be trimmed, and only you have the power to do that trimming. While I can veto any item in full and eliminate it, I can't cut your appropriations. Therefore, there must be wise trimming at your level.

In examining and paring these budget requests, you must carefully differentiate between items. To borrow from an eminent tax authority, there are essentials and desirables. Obviously, we can't have both and still end up with a balanced budget and lower taxes. Certain desirables may be possible, but not at the expense of red ink.

Montana stands today at a crossroads. We can take the path of black ink financing. We can provide those services of government which we can afford and no more. Or we can allow ourselves to be lulled down the path of fiscal chaos. This path is paved with good intentions. However, it does not lend itself to the program of sound, businesslike government which I have tried to give Montana. Deficits are unworthy of a state with a name like the Treasure State. I call upon you to rise to this occasion and meet the challenge successfully.

Montana is part of the fastest growing section of the United States of America. We are not only part of it, but we typify that which is greatest about the west.

We are rich in natural resources. We are even richer in our greatest resource—a forward-looking people. Therefore, we owe it to these people—the citizens of Montana—to further the development of our state.

Continued growth and development of Montana is essential, if we are to offset inflation. We need more jobs and more income. However, we can't get these without businesslike operation of state government on a sound fiscal basis. Deficits and high taxes will drive both present and future residents away. Sound policies will attract them and enhance our future development. This means a favorable economic and political climate. It definitely does not mean confiscatory taxation. It means providing opportunity and not blocking those opportunities which already exist. I am confident this kind of job can be done. The answer is up to you.

Putting the situation more bluntly, although not quite in rig builders' language, it boils down to three phases. You can put into effect all available economies of government. You can equalize taxation towards a fairer burden in certain areas. Or, you can just raise taxes.

I am opposed to any major tax increase. The solution is economy combined with certain tax equalization shifts and changes. I refer you to the report of the State Board of Equalization for details.

In closely scrutinizing budget requests, I urge you to give the fullest consideration to those who have shown the greatest care with the public's tax dollar in the past.

The response to the request of the Legislative Council, Taxation-Education Commission and Board of Examiners for a voluntary ten percent cutback in spending might give you an insight into some economy records.

There are other factors as well, which will show whether previous appropriations to any part of state government have been handled with due respect for the taxpayer. These must be weighed carefully at a time when taxes are already high.

Your job of balancing the budget must be accomplished. You should not stifle Montana's economy and potential for future development through

excessive taxation on either property or income. The solution to your problem lies in cutting spending and enforcing economy and efficiency.

EDUCATION

We all realize that our youth are the greatest resource in the Treasure State. They deserve an opportunity to have a sound education. Only in this way can they help build an even greater Montana. We often hear talk that tends to discredit our educational system. I am proud of Montana's elementary and high schools, as well as our university system. Most Montanans will agree with this. We can always do a better job in certain areas, but the first essential is a sound financial base.

There is definitely a need for some reorganizational changes. One place is in our school districts. A system is needed which will give us school districts that are economical and efficient. Yet, no school should be eliminated, as long as there is a true need for it. The office of the Superintendent of Public Instruction should be officially designated as a "department." Also, certain additional professional help is needed. This is necessary to carry out the duties and responsibilities which you have assigned the Superintendent of Public Instruction, especially those concerned with curriculum.

Our school foundation program needs a second look. The state has a solemn obligation to aid in supporting our schools. However, the foundation program must be one which we can afford.

The solution to our school problems does not lie in constantly increasing this program beyond our ability to pay. Let us base this program on the sound principles of giving the best possible education for every tax dollar that is available for education. In other words, we want the best education we can afford.

Higher standards of education are definitely needed. I must caution you that this does not just mean more money. Standards can be increased in a large measure through improved administration, just to mention one method of attaining more efficiency. There is a definite need for a strong, central executive office for the university system.

Also, the State Board of Education should be freed of administration of the custodial institutions now under its jurisdiction. Some would logically fit under the Public Welfare Board. Others might better belong under a new board encompassing the entire correctional field.

All these changes must be made with an eye to the future of Montana education. They should be part of long-range planning that will give us greater economy and efficiency in education, while continuing to better educate larger numbers of students. However, you should keep all this in mind as we look ahead.

Along this line, I commend to you the reports of the Montana Taxation Education Commission and the Governor's Committee on Education Beyond the High School. The Taxation-Education Commission, which I appointed, had a study made by Peabody College. It deals mostly with elementary and high school education. The governor's committee, on the other hand, had a study made by Dr. Homer Durham of the University of Utah. This dealt with higher education. Much effort has gone into the reports of these two groups.

WESTERN INTERSTATE COMPACT ON HIGHER EDUCATION

As Montana continues to grow, we will need more and more good doctors, dentists and veterinarians. The best source is our own youth population. However, the finest possible professional training is required

in these fields. Building, maintaining and staffing such professional schools would cost many millions of dollars. Montana has access to the finest such schools in the west under the Western Interstate Compact on Higher Education—at a much lower cost. Through the compact, the doors of these professional schools are open to our students on the same basis as students from other western states. An investment in this compact is a true economy.

Already, Montana has received many benefits from its participation in the compact commission. Six Montanans have graduated from professional schools and eighteen others are now in training. Studies of western educational needs and resources have been made. Cooperation and coordination are more evident than ever before among western educators, under the leadership of the commission. This is paying off both in dollars and in more intelligent planning for the future. This program and the efforts of Montana's fine commissioners must be supported by this legislature.

HIGHWAYS

Montana has just witnessed the best year of highway construction ever accomplished in our history. Highway building has been increased nearly three-fourths, or 14 million dollars, to a record total of 37 and one-quarter million dollars. All this has been done under adverse conditions. It has been done in spite of the loss of the one-cent gasoline tax, which the last legislature failed to continue. In fact, the construction record would have gone ten million dollars higher, with this gas tax money to use for matching.

This 14 million dollar increase was made possible through economy, efficiency and sound businesslike judgment. Administrative and overhead costs were cut by reorganization of the Highway Department. Maintenance costs were cut, but this cannot be repeated due to the necessity of replacing units now depreciated. All available emergency federal funds, plus letting of interstate projects, were utilized to gain a more advantageous matching ratio. Reimbursements normally carried as an operating fund item were collected and carefully scrutinized. This item will be kept current now. However, it does not represent any further available backlog of funds.

In view of this excellent record, the State Highway Commission and Highway Department deserve continued support in our quest for more and better highways.

The Citizens' Highway Committee has prepared a report containing some recommendations along this line.

Restoration of the additional one cent per gallon tax on gasoline will be a first step in the right direction. Equitably increased tax collections from trucks are another. It must be remembered that we all enjoy the benefits of these new, improved highways and must pay for them as we go.

One further spot where you can assist our highway program is by studying and eliminating those laws which you deem to be responsible for delays in construction. Savings in time and money must be balanced against what protection is afforded by those laws. Only you can make this decision.

HIGHWAY TRAFFIC SAFETY

After a national reduction of 21 percent in highway traffic fatalities during 1957, Montana held its own this past year as 192 died, compared with 210 the previous year. This shows that efforts toward improved traffic safety do pay off, both in lives and dollars.

During 1957 Montana established a record low of 6.7 deaths per 100 million vehicle miles. The figure for 1958 is 5 deaths per 100 million vehicle miles. Ever-increasing numbers of vehicles are using Montana highways. Therefore, constructive legislative action is essential if we are to reduce Montana's traffic death toll. Speed and drinking are the two leading causes of accidents in Montana, according to accident analyses made by the Montana Highway Patrol.

In view of this I want to recommend the adoption of a definite 65 mile an hour daylight speed limit. This should be a matter of state law. It is evident that the 65 mile an hour daytime limit should get a large share of the credit for the 1957 and 1958 fatality reduction.

You should also consider the adoption of the implied consent law as an added deterrent and control of the drinking driver. The outstanding feature of such a law is the provision that a person believed to have been drinking while driving must submit to a blood alcohol test. Refusal to submit would result in loss of driving privileges.

The Montana Highway Patrol, although understaffed, deserves a large share of the credit for the improvement of our traffic safety problem. Presently, there are 95 full-time traffic officers. Authoritative studies by both the National Safety Council and the Northwestern University Traffic Institute show that Montana should have a minimum of 30 more patrolmen on traffic duty.

You have an opportunity to make a saving by establishing permanent ports of entry. These could be used to collect tax revenues under the gross vehicle weight law, and also for passing out tourist information. This would be a combination of tax-collecting, welcoming and collection of tourist data.

BOATING SAFETY

The great increase in boating throughout Montana has brought about a severe need for safety legislation. Since this problem is a common one among states, suggested legislation has been prepared by the Council of State Governments. This legislation ties in with the Federal Boating Act of 1958. Enactment of legislation along these lines would give Montana a uniform numbering system for boats, a uniform accident reporting system and an exchange of such data with the federal government. Responsibility for enforcement of these provisions should go to already established law enforcement authorities.

At the same time you should provide that no boat be issued a license unless it is already on the property tax rolls. This is only fair, since some are and some are not. Responsibility for administration of the licensing provisions of the state boating act would lie with the State Board of Equalization.

STATE LANDS

We are all well aware that land values have continued to rise in Montana. Therefore, I would suggest that you review the income that the State of Montana now receives from both farming and grazing lands. This is particularly important to our schools.

You also have a responsibility to fix the method of determining full market value of the exchange of an existing oil and gas lease of state lands. A 1953 law authorizes such an exchange. The State Land Board is unable to exchange any leases until you do this.

CORRECTIONS

We must all be fully aware that, while much has been done at the

state prison at Deer Lodge in the past few years, a big job still remains. We have a long-range building program, which needs and merits your support. The goal will be a new state prison, located on the present prison ranch, away from the U. S. highway.

I am proud that this program is under way. The first step—the medium security building—is over half finished.

This long-range building program must be matched with equally adequate personnel. This will result in the best possible rehabilitation. In this rehabilitation Montana will not only find a great saving in dollars, but will also save in our human resources. This can amount to millions of dollars over a few years. Therefore, I urge your utmost cooperation in meeting the problems surrounding our prison population. We need far-sighted planning, equivalent to that when the present prison ranch was purchased for the State of Montana.

This was a result of cooperation between the legislature, myself and others. I hope we will see more examples of this in the future.

This legislature will receive copies of a proposed Western Interstate Corrections Compact. This grew out of discussions started at one western governors' conference and was completed at another such meeting in November. I attended both of these meetings and made several suggestions, which are included in the proposed compact. In such a compact you have an opportunity to take one of the greatest forward steps in the history of corrections in Montana.

First, there will be a great saving through sharing of institutions.

Second, better and more specialized care of certain types of institutional cases will result. Third, better rehabilitation will bring about a human saving by returning sound individuals to society. Full protection of the rights of Montanans is provided. There are no constitutional problems. I urge your recognition of the now-existing problems, such as our women prisoners at Deer Lodge. Approval of such a corrections compact is essential to progress in corrections. The way will then be open for specific contracts to be made. In other words, this is enabling legislation.

Montana can be proud of the progress which has been made in the field of pardons and paroles of state prisoners.

However, there are two major needs. One is for an expanded staff to supplement the present three field officers. At least five more are needed to cover a state as large as ours. Assistance in placement of the persons handled by our courts and penal institutions is needed. Finding jobs for these persons is the biggest item blocking the smooth operation of release of inmates from the state prison. This is a major cause of parole and probation violations also. The general public can assist, as well, through their acceptance of these individuals.

A work-release plan for those in county jails is worthy of study, not only as a corrections measure, but also as an economy move.

It will keep a man active as a family breadwinner, cut welfare costs and help pay jail costs.

You may also want to consider the passage of an effective habitual criminal act. Certainly we must realize that the laws of our state should take into consideration the difference between a first-time offender and a three-or-more-time loser.

WATER RESOURCES

Water is undoubtedly one of the most important, if not the most im-

portant, natural resources to all Montanans. It is definitely the limiting factor in our development.

Therefore, I believe it is important to tell you about developments in this field. This merely touches the highlights, so I commend the report of the Montana state engineer for your reading.

A new compact is being negotiated on the Little Missouri River between North and South Dakota, Wyoming and Montana. Water rights and use data is now being gathered. Work toward a Columbia River compact is still in progress. It is stalled at the present time due to the refusal of Oregon and Washington to agree to the compact draft. Therefore, no compact will be submitted to this legislature for its approval. Nevertheless, I want to commend the Montana members of this commission for their tireless efforts.

I am happy to note that the Lower Willow Creek project in Granite County will be the first one undertaken in Montana under the Watershed Protection and Flood Prevention Act. This type of flood prevention and development of our water resources at the headwaters is definitely beneficial. It accomplishes the job, without flooding large amounts of taxable land and displacing people from their homes.

If Montana is to continue to make progress in the future, then we must all work together in the use of our water. My record is clear. I will continue to work in the best interests of the development of the Treasure State through the most beneficial use of our water in Montana.

I hope you will give continued support to the efforts of the Montana Water Conservation Board in their important field.

PUBLIC WELFARE

The State Department of Public Welfare will probably narrowly miss asking for a supplementary appropriation. I am certain we are all well aware that this is due mainly to the increased relief load in one or two counties. In view of this situation, this 36th Montana Legislative Assembly must face and answer squarely two questions concerning public welfare spending in Montana.

The first is whether people all over the state should pay such a large portion of the general relief costs. These occur in just a few counties, due in many instances to a low tax base. The second is whether the taxpayers of the entire State of Montana should support the operation of large county hospitals in just two counties—Silver Bow and Cascade.

First, you have the power to increase the four mill emergency levy in the poor fund before a county could qualify for grants-in-aid from the state. This would mean that those few counties which continually receive aid could carry a greater share of the general relief and medical care expenditures. These costs are the major reason for the large increase in the State Welfare Department's budget request for the next biennium. They are also exclusive of the problem involving county hospitals. A two mill increase in the levy would permit a budget cut of more than half a million dollars. This would be an emergency increase which could probably be removed when the present reclassification program is completed.

You also have the power to enact legislation so that any county wishing to operate a hospital must make a special levy for this purpose. This would enable a cut of 425 thousand dollars in the appropriation request for general relief and contingencies. It would also eliminate the spending of funds over which the State of Montana has no control. Administration and control of these hospitals are the duties of the Boards of County Commissioners.

The State Public Welfare Board is asking for increased funds from you due to nearly two million dollars (\$1,938,000) in increased anticipated requirements for eight counties. Some of this is unavoidable. However, you can save nearly a million dollars in appropriations just by following the two suggestions I have made. The decision is up to you. A solution must be found or this situation will continue to get worse.

CHILD WELFARE ADVISORY COMMITTEE

The greatest treasure in the Treasure State—our youth—is the subject of a report by the Child Welfare Advisory Committee. The last legislature continued this committee. It has done a fine job of study concerning the welfare of delinquent, dependent and neglected youngsters. I am certain you will find its recommendations very worthy of careful study. This is a continuing problem, and one in which we must all be aware of the tragic loss that will be ours, if we do not meet it constantly.

In considering the problems of juveniles, you will undoubtedly be faced with legislation providing for the publication of the names of juveniles in certain court proceedings. I favor such publication with certain safeguards. A proper balance must be achieved between the spotlight of our free press and adequate protection of the public, our youngsters and their futures.

STATE FORESTS

Montana deserves to receive the greatest possible wealth from its forest lands, in the form of forest products, abundant useable water and matchless recreation areas. To foster such production, the State Forestry Department is developing a long range forestry program, based on factual and scientific information.

Through proper forest management and adequate protection, the greatest volume of mature timber will be harvested in the shortest possible time consistent with good forest land management. An inventory of the standing timber is the foundation for a good forest management program. The present inventory has now covered 20 percent of the state-owned forest lands and should be carried to completion.

The need for protecting forest lands from both insects and fires has been well established. The history of forest pest infestations indicates the need in Montana for legislation which will facilitate early and effective control action.

This is essential when you consider that spruce budworm has already infected over five million acres with three million remaining untreated. Vast areas of private forest lands within the boundaries of organized fire protection districts are being protected at a reasonable cost. Grass and brush areas in such districts receive organized protection. The law should provide for uniform participation in protecting our valuable forest lands from fire.

Slash, the debris accumulated as a result of timber harvesting, is an extreme fire hazard. Due to inadequate laws, there is grave concern that fires in slash will get out of control and run wild, threatening life and property and undoing the work of a lifetime by ruining valuable forest growth and watersheds. This statute needs a complete overhauling in order to permit the state forester to provide adequate protection for our forests.

One-half the commercial forest land in Montana is privately owned. Technical assistance to the small forest woodland owner is provided by the state forester. This should be encouraged.

The current situation of widely scattered state forest land ownership

poses a very complex and unnecessarily expensive administrative problem. The state forester has instigated a program leading to the consolidation of state forest lands through the medium of exchange. In view of the future benefits to the State of Montana, I recommend that consolidation be accomplished as swiftly as possible.

Let me also call your attention to a resolution approved by the State Forestry Board. It recommends that fireworks be defined by law in such a manner as to include all burning and explosive instruments normally associated with the Fourth of July and other celebrations. The board further recommends the use and sale of fireworks be prohibited in Montana. Certainly fairs, rodeos and other celebrations having fireworks displays put on by specialists in this field should not be hindered. But others unskilled in the use of fireworks should not be subjected to the danger.

FISH AND GAME

You have an opportunity to aid both our hunters and our tourist industry at the same time in the field of fish and game legislation. The 1957 authorization for issuing special 20 dollar non-resident deer and antelope permits expired December 31, 1958.

There is a continuing need for such permits in many Montana areas. In addition to this need, the loss of revenue from the sale of these permits would undoubtedly force an increase in resident license fees. Also, continuation of such permits will bring added tourist revenue into Montana.

Montana law provides that any person who has obtained a moose, mountain sheep or buffalo permit shall be ineligible to receive another such permit for ten years. In many cases the holder of such permits has been unsuccessful in killing the animal authorized by the permit. He may have waited several years to get the permit under our drawing system. Yet, he now must wait ten more years before applying again. It may be several additional years before he is successful in drawing another permit. This is obviously unfair. Therefore, I recommend that you amend this ten-year limitation to apply only in cases where the permit holder kills his authorized moose, mountain sheep or buffalo.

HEALTH

Our health may well be our most prized possession. Therefore, I urge you to give the closest study to these proposals endorsed by the State Board of Health.

As our state develops more suburban areas the problem of fringe area sanitation grows. Most states in the west already have laws requiring approval of sewage and water facility aspects of all subdivisions, prior to recording of subdivision plats and sale of lots. At present no state or county board has power to prevent such health hazards.

Although we have already made great strides, the attack on tuberculosis must continue. Legislation is needed to allow commitments of the TB patient who refuses to cooperate in becoming non-infectious and continues to spread disease. We must also make provisions for the person with TB who has just moved to Montana and is not yet a legal resident. Even though willing, this patient cannot now be admitted to our state TB hospital at Galen. However, Montana must be protected against becoming an asylum state. Admission procedures need revising so that the county health officer and the state hospital are directly involved. Also, any payments for treatment at Galen should be collected there. The cost of TB to society by failing to have all recognized communicable cases under treatment is far greater than the cost of providing state care.

You may also wish to give consideration to the topics of air pollution and radiological health.

LEGISLATIVE COUNCIL

The work of the legislative council, which the 35th Legislative Assembly set up to function during the interim between legislatures, deserves praise for its efforts. You now have one group to make your interim studies, rather than several groups which could duplicate efforts. One particular field in which the council has been operating is that of the need for an executive budget. I am in agreement with this need. The chief executive of Montana, whoever he might be, is often wrongfully charged with the responsibility for the state budget. These are now merely budget requests. The only way to fix definite budgeting responsibility is to approve an executive budget law with adequate budget assistance for the governor. All loopholes diluting this budgeting authority should be eliminated. Then this point will be clear, just as it is now clear that responsibility for appropriations and taxation lies with the legislature.

I would like to recommend that you transfer the duties of the now dormant Intergovernmental Relations Commission to the Legislative Council. This is an appropriate point at which to mention the Council of State Governments. Not only the Legislative Council, but also every part of state government benefits from membership in the council. However, Montana should not continue to be a charity member.

STATE LIQUOR PROFITS

For the two fiscal years ending last June 30, the Montana Liquor Control Board turned over more than eleven and one-half million dollars (\$11,654,343.18) to the state general fund. This consisted of Liquor Board profits, license fees and liquor and beer taxes. In addition to this amount, Montana's counties and incorporated cities received more than 560 thousand dollars (\$561,875.52) during the last fiscal year. This means that the state, counties and cities got nearly twelve and one-quarter million dollars (\$12,216,218.70) from our state liquor establishment.

It is important to realize that more than one-fifth or 21.54 percent of our state general fund revenue came from this one source during these last two fiscal years.

NATIONAL GUARD

Both training and facilities have improved for our National Guard during this biennium. Armories have been built or are under construction in Sidney, Glendive, Miles City, Billings, Kalispell, Hamilton and Whitefish. Armories are also in the planning stage for Chinook and Dillon.

The Air National Guard has been reorganized into an Air Defense Fighter Group with a primary mission of providing operationally ready air crews and airmen capable of seeking out and destroying enemy airborne weapons in the event of an enemy attack.

As commander-in-chief of the Montana National Guard, I am proud to report this progress to you. I am equally proud and happy to say that federal efforts to completely slash the guard have failed. I testified personally before the U. S. House of Representatives Armed Services Subcommittee in Washington, D. C., and took part in discussions at the national governors' conference aimed at blocking this move.

REAL ESTATE

A serious condition now exists in our present state real estate law.

The law was enacted in 1921 and has remained basically the same. During the last ten years many Montanans have been defrauded by a scheme known as "fee in advance advertising of property for sale." The potential seller of property under this scheme receives no benefits, according to checking by our State Department of Agriculture, which has responsibility for enforcing the real estate law. The same is true in other states. Legislation has been worked out to improve this situation.

The relationship between owners, sellers and buyers of property and the real estate broker is based on trust and competency. I urge that you approve legislation to insure that this trust is not broken.

STATE PLANNING

Montana needs a further expanded and stabilized economic base. New opportunities for income and employment must be developed to replace those which are lost in technical progress and to provide jobs for our increasing population. In line with this, we have two main responsibilities at the state level.

There must be an economic and political environment which is attractive to industrial development. We need an aggressive program of research, planning and promotion concerning the potential of our Treasure State. I hope you will continue to give the State Planning Board support, as part of our overall efforts for fuller development.

AVIATION

Aviation activity in Montana is greater than ever before in both civilian and military flying. Our Montana Air National Guard squadron is one of the nation's best. Montana has a new air force base at Glasgow, as well as increased facilities at Malmstrom Air Force Base at Great Falls. We also have new radar and radio installations throughout the state.

The Montana Aeronautics Commission has a new operations building. The commission has a record of dedicated service to aviation in Montana. They have also been active in behalf of increased airline service to Montana. I hope you will continue to give aviation your support.

There are 1,139 licensed aircraft in Montana now. We now rank first in the nation in aircraft per capita. Some are on the tax rolls. Some are not. All of these should be paying taxes, as a matter of fairness. Therefore, I recommend that the state issue aircraft licenses. However, such licenses should not be issued, unless the aircraft is on the property tax rolls.

STATE PARKS

The importance of an adequate state parks system must not be overlooked in our efforts to attract tourists and to provide Montanans with sufficient recreational and historical spots. We now have twenty state parks and monuments. A record 265,000 persons visited them last season. There are eight or ten more possible additions. Picnic and recreational areas, roadside parks, and preservation of historical, scientific and archeologic sites must be taken into consideration.

The status quo is no longer enough. An orderly expansion, plus bringing existing facilities up to standard, is necessary.

UNEMPLOYMENT COMPENSATION COMMISSION

Montana's unemployment trust fund reserves have dropped at an alarming rate. This has happened since the enactment of amendments

to the Montana unemployment compensation law by the last Legislative Assembly. Increased unemployment in some fields has contributed to this. However, the major portion of the increased cost is due to amendment of the benefit provisions of the law, which went too far.

The unemployment trust fund dropped from nearly 44 million dollars (\$43,933,283.20) on July 31, 1957, to about 36 and one-half million dollars (\$36,417,400.91) on July 31, 1958. This is a loss of more than seven and one-half million dollars in twelve months. It is the first time that reserves have declined by annual comparison since 1939 when the commission started paying benefits. This situation must be corrected. Otherwise, the fund balance will continue to decline, even though employment returns to the 1955 and 1956 levels.

At the end of 1958 the trust fund stood at more than 35 and one-quarter million dollars (\$35,270,314.14). Estimates are that it will drop another 7 and one-half million dollars in the next thirteen months. This will cause all employer unemployment compensation tax rates in Montana to jump to the maximum of 2.7 percent on covered payrolls. Such maximum payroll taxes will definitely be an extremely serious handicap to our efforts to attract business into Montana.

It would be extremely unwise to increase unemployment benefits during this session. I urge that you restrict payment of such benefits to those persons who are sincerely attached to the Montana labor force for the major portion of the year. The so-called marginal workers have been allowed to draw many thousands of dollars. These benefits should have been reserved for Montanans who are breadwinners and are obligated to work or sincerely seek work the year around.

WORKMEN'S COMPENSATION

You may wish to examine the second injury fund with an eye toward eliminating any major barrier which may exist to the hiring of physically handicapped. However, any extension must be accompanied by financing that will not overprice workmen's compensation.

P. E. R. S. & SOCIAL SECURITY

In considering any legislation affecting the public employees' retirement system, it is imperative that any proposals for the liberalization of its retirement benefits be accompanied by adequate compensation provisions for their funding or financing. In any proposals to establish additional retirement systems for separate coverage groups, I urge that you explore fully the advantages of keeping all public employees under the established retirement system. Recent amendments to the federal social security act make it correspondingly necessary to amend existing statutes so that our public employees and their beneficiaries may enjoy full social security benefits.

LIVESTOCK SANITARY BOARD

Two of Montana's greatest industries are livestock and poultry. They are both part of our state's biggest industry—agriculture. Animal diseases are responsible for a large loss to these industries in the form of reduced meat, milk and egg production, as well as actual livestock and poultry loss. In addition, 87 of these diseases can be given to humans.

Responsibility for prevention, control and eradication of these diseases lies with the Montana Livestock Sanitary Board. That board is also responsible for establishment and maintenance of meat inspection, enforcement of grade A milk standards and enforcement of other laws in this field.

To properly fulfill these responsibilities, an adequate diagnostic laboratory must be available. The present lab is outdated, over-crowded, dangerous and entirely inadequate. The space now being used is the same as was provided in 1918—more than 40 years ago. I hope you will give the fullest consideration to this critical need of the livestock industry.

MONTANA HISTORICAL SOCIETY

Our State Historical Society has been in existence since its creation by the territorial legislature. The last revision of its laws was made in 1949. Since that time the portion of the law dealing with appointment of trustees has become outmoded. There is no longer any chancellor of the greater university of Montana, so a change is in order here. You should also make it more easily possible for potential donors to endow the Historical Society. This will greatly aid the preservation of our historical culture, which has made such great strides these past few years.

VOTING

In view of recent controversy over the use of voting machines, a need to clarify the laws concerning their use definitely exists. In addition, you have a duty to see that no barrier to simplified absent voting procedure exists for spouses and dependents of active duty members of the armed services and federal employees working overseas. The federal post card application for ballot and for use as a registration card should be permitted these members of our cold war fighting teams.

OTHER PROGRAMS

The 35th Legislative Assembly made a major change in the work week of state, county and municipal offices by switching to a five-day week. This was done at my suggestion. I am happy the change was made. However, this law should be further clarified. It presently states only how many hours each office must be open. I recommend that a minimum number of hours be established for each employee to work each week. This is only fair, as the present law leaves the way open to abuses. Some employees may work only 35 hours, while others put in 40 or more. A definite number should be set by law.

I want to go on record here as opposing secrecy where the public's tax dollars are involved. Secrecy merely breeds misinformation. I do not mean that a board or committee should be unable to talk things over privately. However, when any decision involving the tax dollars of Montanans is made, the public should have access to that meeting.

We should reappraise the effectiveness of our blue sky law. This is intended to expedite financing the development of natural resources and legitimate enterprises in our state. It must also protect our investing public from being fleeced by slick promoters who too often operate under the pretense of developing Montana.

Strict and conscientious examination of the books of our financial institutions, plus municipal, county and state offices, is essential and is required by our constitution. In order to effectively accomplish this, you may wish to re-examine the fee structure of the state examiner's office, so the services pay for themselves.

A comprehensive revision and recodification of Montana's insurance laws has been made in line with my recommendation of two years ago. I hope this will be given full study. However, you should note that the insurance premium tax would be less than has existed during this current biennium. I urge that the legislature study this point carefully in calculating anticipated revenue.

The Montana commissioners to the national conference on uniform state laws have submitted a report which contains suggestions of interest to you. Most important is one dealing with uniform administrative procedure for all state boards and commissions.

NATIONAL GOVERNORS' CONFERENCE

In closing, let me say that Montana has the opportunity of a lifetime in 1960. I am speaking of the chance to hold the 1960 national governors' conference in our Treasure State. I have already submitted a budget request of \$85,000 to you for consideration. This is the only stumbling block that remains. If you approve this minimum amount, I am certain that my invitation in behalf of Montana will be accepted.

Not only is 1960 a presidential election year, but it is also the golden anniversary of Glacier National Park. Therefore, the opportunity to more fully publicize the virtues of Montana are unlimited as the nation's spotlight will be focused on the site of the 1960 conference. I realize that this request comes at a time of serious fiscal problems. However, this is an investment in our future. We know we have the natural resources, industrial potentialities and tourist attractions. We must effectively let others know it. No other activity could do so much for Montana for so little a price.

The magnitude of this conference is such that the president of the United States could very well be a speaker. The next president may well be in attendance. Please give this request your most serious consideration and study.

STATE ADVERTISING

Under no circumstances should the national governors' conference budget be confused with our continuing program of advertising our Treasure State. This is one of our best dividend-paying expenditures of state government. It should not only be continued, but increased. This won't really involve any greater expense to Montanans. A larger state advertising budget will mean greater gasoline tax collections from tourists. Therefore, it will pay for itself. You have only to amend the 1955 act limiting the spending of highway funds for advertising purposes. Doing this will show your faith in Montana and its future.

* * *

I have not mentioned some boards, commissions or departments. This is only because their problems might not be quite as pressing as some which I have mentioned here today. Their reports are available to you for study.

I hope you will all view this state of the state message in the same spirit in which it is written. We must work together, each recognizing our duties and responsibilities, toward sound, businesslike government for Montana.

J. HUGO ARONSON,
Governor.

It was moved by the president pro-tem, and carried, that 1,000 copies of the Governor's message be printed and distributed to the members of the House and Senate, and to other state offices.

A committee from the Senate escorted His Excellency the Governor from the chamber.

It was moved by the president pro-tem, and carried, that the joint assembly be dissolved and that the members of the Senate repair to the Senate chambers.

It was moved by Cerovski, and carried, that the House recess subject to the call of the Chair.

House recessed.

House resumed. Mr. Speaker in the Chair.

The Speaker named the following members to the Committee on Appropriations: Barnard, chairman; McOmber, vice-chairman; Daniels, Reeder, Curry, Lees, Jardine, Page (Granite), Bardanouve, Moudree, Woodring, Devier, Gleed, Haines (Missoula), Hawks, Nichols, Walton.

MOTIONS AND RESOLUTIONS

Reverting to his motion made earlier during today's session asking that a special investigating committee be appointed with respect to the Governor's mansion, Gerard requested sufficient seconds for a roll call vote.

A substitute motion was made by Cerovski as follows:

I move that a special committee be appointed by the Speaker consisting of four Democrats and two Republicans to investigate the lavish construction costs of the Governor's mansion.

That this committee be given powers of subpoena, to administer oaths and to hold hearings. That this committee be required to report to the House of Representatives before the 10th legislative day.

That this committee be instructed to determine where unnecessary expenditures have been made in the construction of the said Governor's mansion.

That the blame for any unnecessary expenditures, if there be any, and choice of the crude architectural design be placed on the proper officials, namely the Republican controlled Board of Examiners.

That this committee determine what disposition should be made of the said Governor's mansion, its furnishing and its landscaping.

A request was made by Gerard for ten seconds for a roll call vote on the substitute motion of Cerovski and that the results thereof be spread in full upon the Journal. There being a sufficient number of seconds a roll call vote was had and the substitute motion carried by the following vote:

Ayes: Aasheim, Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Casey, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Lees, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Woodring, Wold. Total 58.

Noes. Anderson, Babcock, Battin, Bentz, Broeder, Cavan, Corcoran, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Leuthold, Loman, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Reinecke, Sales, Walton, Wright. Total 32.

Absent: Loughran, Wood. Total 2.

Excused: Bradford. Total 1.

Not voting: Mr. Speaker. Total 1.

Motion was made by Cerovski that a committee be appointed by the Speaker consisting of 4 Democrats and 2 Republicans to investigate the Montana Highway Department to determine whether efficiency is practiced by this department in its engineer's office and in its administration of state highway funds and to initiate any legislation that might be necessary to correct any evils that might be discovered by this committee in its investigation; that this committee be given powers of subpoena, to administer oaths, power to hold hearings, and power to employ any persons that this committee may deem necessary to conduct this investigation; that this committee report its findings to the House of Representatives not later than the 25th legislative day. Motion carried.

The following motion was made by Anderson:

Mr. Speaker:

WHEREAS, the people of the State of Montana have severely criticized the activities and expenditures of the Fish and Game Commission of the State of Montana; and

WHEREAS, the people of the State of Montana have indicated that they desire this Legislative Assembly to investigate among other things the following practices of the said Fish and Game Commission, to wit:

(a) The arbitrary opening and closing of fishing and hunting areas and seasons contrary to law and without consultation either with private land holders in the areas involved and without regard to said land holders' inherent rights and privileges, or without consultation with the various hunters and fishermen and their clubs and organizations within the state; and

(b) The arbitrary and unnecessary establishment of fish and game preserves without regard to the effect of over population of game in said preserves upon the lands and crops of the farmers and ranchers who are land holders within the areas thereof; and

(c) The expenditure of public funds for purported unnecessary purchases of land for extensive reserves and game preserves;

NOW, THEREFORE, Mr. Speaker, we hereby and respectfully move that the Speaker of the House of Representatives be empowered to appoint a special investigating committee, consisting of three Republicans and three Democrat members of this House for the purpose of investigating the above-described practices of the State Fish and Game Commission and its various departments, as well as the operations and activities of that body; and

We further move that said committee be empowered by suitable process from this House of Representatives to hold hearings, subpoena witnesses, administer oaths and appoint sub-committees from its membership with like authority; that suitable quarters and all necessary aid be provided to said committee for studying the problems above outlined; that all items of expense be returned by said committee with its report, and that the Sergeant-at-Arms of this House of Representatives be authorized and directed to pay all expenses necessarily incurred by the membership of said House of Representatives upon presentation to the said Sergeant-at-Arms of proper voucher signed by the chairman of said committee; that said committee be empowered to do any and all things necessary to conduct said study and that it report its findings and recommendations back to the House of Representatives not later than the 58th day of the 36th session.

ANDERSON.

As a substitute motion Cerovski moved that a committee be appointed by the Speaker consisting of four Democrats and two Republicans to in-

investigate the Fish and Game Department to determine whether their funds are efficiently utilized and to initiate any legislation that might be necessary to correct any evils that might be discovered; that this committee be given powers of subpoena, administer oaths, and powers to hold hearings; that this committee may employ any necessary persons to help conduct such investigation; that this committee report its findings to the House of Representatives not later than the 20th legislative day. Substitute motion carried.

Motion was made by Cerovski that a committee be appointed by the Speaker consisting of four Democrats and two Republicans to investigate the State Purchasing Department to determine whether proper procedures are being used; that this committee be given powers of subpoena, administer oaths, to hold hearings and employ any person that this committee deems necessary to conduct this investigation; that this committee report its findings to the House of Representatives not later than the 25th legislative day. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times and referred to the Committee on Appropriations:

House Bill No. 3, introduced by Barnard: A bill for an act entitled: "An act to fix the compensation of officers and employees of the Thirty-sixth Legislative Assembly of the State of Montana."

Motion was made by Cerovski that the House adjourn until 12:30 p.m., Wednesday, January 7, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 7, 1959

House convened, pursuant to adjournment, at 12:30 p.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present.

The Speaker made the following committee appointments:

Committee on Enrolling: Jardine, chairman; Bradford, vice-chairman; Schwinden, Howard, Nelstead.

Committee on Engrossing: Parker, chairman; Aasheim, vice-chairman; DeWolfe, Bentz, Wright.

Committee on Printing: Abel, chairman; Devier, vice-chairman; Casey, Gleed, Elting.

Mr. Speaker: We, the Committee on Journal, having examined the Journal for the second legislative day, find the same to be correct.

ESKILDSSEN, Chairman.

REPORTS OF STANDING COMMITTEES

January 5, 1959

Mr. Speaker: We, your Committee on Employment, recommend that the following be employed by the House:

Secretary to Speaker of House.....	Monte Lee Highland
Secretary to Sergeant-at-Arms.....	Marabeth S. King
Secretary to Judiciary Committee.....	Mrs. Beverly E. Murfitt
Chief Stenographer.....	Mrs. Jo Thiele
Stenographers.....	Judy Andrew Dorothy Quinn Marguerite Maxwell Mrs. Dorothy Srenar Mrs. Nora Bee McKelvey Mrs. Frank D. Neill Mrs. Elaine E. Cooper Ethel M. Chandler Martha Pool Brass Agnes Joan Weaver Wanda Lee Gough James Quinn Rose Charlotte Bridges Arlee S. Roberts Kathryn Smith Marian J. Stock Mrs. Elnora A. Jung Kathleen Cory
	Ann D. Clancy Marguerite Carl Patricia Ann Gallivan Yvonne L. J. Borgmann Gertrude M. Mallinson Mae E. Mann Margarette A. Archibald Hallie M. Thompson Rosella M. Dallas Elaine L. Rung Dolores C. Clarke Grace Manning Betty Z. Penner Mrs. Iris J. Leuhr Mae Gallagher Melinda H. Kelly Walter Marshall
Chief Clerk.....	Allen Donohue
Journal Clerk.....	Mrs. Rosemary S. Acher
Assistant Journal Clerk.....	Billie J. Tobin
Bill Clerk.....	Vivian R. Sletten
Assistant Bill Clerk.....	Edna Gillies
Printing Clerk.....	Clarence Ryan
Assistant Printing Clerk.....	Donald Wayne Cormany
Telephone Operators.....	Estelle M. Kohl Inez F. Meindel
Elevator Operators.....	Katherine Kennard Bernice Beaver
Doorkeepers.....	George Barry W. P. Vallance Earl Oldperson Nels Briggs
Pages.....	Robert Andrew Ann Perry Jeffrie E. Peterson Michael Mahoney John Dahl
Payroll Clerk.....	Grace B. Johnson
Clerk to Chief Clerk.....	Veda Richardson
Night Watchmen.....	Fred Sullivan Raymond Tracy Charles Warren
Janitors.....	John L. Sullivan Jim Dennehy Wm. McGee Patrick Moran

Chaplain.....	Paul E. Caskey
Proofreaders.....	Stuart Whitcomb
	Mrs. Cecelia Murphy
	Margaret Nagle
	Leone Campana
	Mae Fellows
	Myrtle Sweet
	Katherine Hanrahan
	Harvey Sanders
	Harold H. Glendinning
	Kenneth Sheehan
Clerks.....	George P. Hethington
	Dan Holland
	Andrew Kehoe
	Wm. C. McRae
	Charles T. Buzzas
Typists.....	Gertrude Shea
	Corrine Whitcomb
	Mona G. Swan
	Shirley Louise Sautter
	Jo Ann Roundel
	Esther Schmidt
	Alexander S. Armstrong
	Myrtle Murfitt
	Emil A. Banik
	Clara Dahl
	Mary Lacey
	Bernice G. Fletcher
Engrossing Clerk.....	Julia Rigler
Assistant Engrossing Clerk.....	Etta C. Cummings
Sergeant-at-Arms.....	Claude Gray
1st Assistant Sergeant-at-Arms.....	H. J. Hackley
Assistant Sergeant-at-Arms.....	Wm. Orsello
	Gerald Holland
Reading Clerk.....	Francis O. Mitchell
Assistant Chief Clerk.....	Ray Ridle
Law Clerk.....	Robert E. Doepker
Assistant Law Clerk.....	Con Kelly
Postal Clerk.....	Mrs. Maud Bolton
Mail Clerk.....	Victor Kiely
Clerk.....	Marie Barbara Majhor
Enrolling Clerk.....	Mrs. Ila B. Dousman
Assistant Enrolling Clerk.....	Doris L. Forsell
Secretary to Minority Floor Leader.....	Bernice Mitchell
Mimeograph Department.....	Agnes R. Srenar
	Nora Swanson
Proofreaders.....	Matt W. Oja
	Myrtle O'Leary
	Mamie M. Reinig
	Lucy Fluhr
	John P. Morgan
	Betty Phippen
	Richard E. Davis
Doorman.....	James T. Laughnan
Night Watchman.....	Wm. J. McEachren

LOUGHRAN, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Bill No. 4, introduced by McGarvey, Holding, Felt, Schwinden, Jardine: A bill for an act entitled: "An act repealing sections 48-130, 48-131, 48-132, 48-133 inclusive, relating to declaration of marriages, Revised Codes of Montana, 1947." Referred to Committee on Judiciary, when appointed.

House Bill No. 5, introduced by McGarvey, Tonner, Barrett, Sheldon (Flathead), Cerovski, Wold: A bill for an act entitled: "An act to provide for open public meetings of all governmental bodies, boards, bureaus, commissions or agencies of the state or any political subdivision of the State of Montana, or organizations or agencies supported in whole or in part by public funds or expending public funds." Referred to Committee on State Boards and Institutions, when appointed.

House Bill No. 6, introduced by Mernin: A bill for an act entitled: "An act to amend section 48-134, RCM, 1947, relating to the premarital test certificate required of applicants for marriage licenses to provide that persons issuing marriage licenses must demand satisfactory evidence of age from applicants for such license." Referred to Committee on Judiciary, when appointed.

Motion was made by Cerovski that the House recess until 2:30 p.m., this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

We, your Committee on Appropriations, having had under consideration House Bill No. 2, respectfully report as follows: That House Bill No. 2 do pass.

BARNARD, Chairman.

Motion was made by Barnard that the committee report be adopted.

Substitute motion was made by Gerard that House Bill No. 2 be referred to the Committee on Judiciary for further consideration. Ten seconds were requested for a roll call vote, also a request that the results thereof be spread upon the Journal in full. There being a sufficient number of seconds a roll call vote was had and the substitute motion failed to pass by the following vote:

Ayes: Anderson, Babcock, Battin, Bentz, Broeder, Cavan, Corcoran, Elting, Felt, Fjare, Fladager, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Leuthold, Loman, Nelstead, Nichols, Paulsen, Powell, Reinecke, Sales, Walton, Wright. Total 30.

Noes: Aasheim, Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Lees, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Page (Granite), Page (Missoula), Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold. Total 63.

Not voting: Mr. Speaker. Total 1.

Original motion of Barnard that the committee report be adopted. Motion carried. Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 3, respectfully report as follows: That House Bill No. 3 be amended by striking out in line 12, page 2, of section 1, after the word "of" and before the semicolon, the following: "the Senate" and inserting in lieu thereof the words "both Houses," and as so amended, do pass.

BARNARD, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Bill No. 7, introduced by Tonner, Harball, McGarvey, Gunderson, Rindy, Sheldon (Flathead): A bill for an act entitled: "An act to amend section 25-410 of the Revised Codes of Montana, 1947, relating to fees for witnesses in criminal actions or coroner's inquests; providing that witnesses in courts not of record in criminal actions and coroner's inquests shall receive three dollars per day and containing a repealing clause." Referred to Committee on Judiciary, when appointed.

House Bill No. 8, introduced by Tonner, Harball, McGarvey, Gunderson, Rindy, Sheldon (Flathead): A bill for an act entitled: "An act to amend section 25-403 of the Revised Codes of Montana, 1947, relating to compensation of jurors in courts not of record and at coroner's inquest; providing that jurors in courts not of record shall receive five dollars per day and prospective jurors shall receive three dollars per day; providing that jurors in coroner's inquests shall receive five dollars per day and containing a repealing clause." Referred to Committee on Judiciary, when appointed.

House Bill No. 9, introduced by Tonner, Harball, McGarvey, Gunderson, Rindy, Sheldon (Flathead): A bill for an act entitled: "An act to amend section 25-409 of the Revised Codes of Montana, 1947, relating to fees for witnesses in courts not of record in civil actions; providing that witnesses in courts not of record in civil actions and proceedings shall receive three dollars for each day in attendance and containing a repealing clause." Referred to Committee on Judiciary, when appointed.

January 7, 1959

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 2 and 3, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the Rules be suspended by unanimous consent for the purpose of placing House Bills Nos. 2 and 3 on General Orders for this day. Motion carried.

CONSIDERATION OF GENERAL ORDERS

It was moved by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business on General Orders. Motion carried.

Gerard of Madison in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 2 do pass.

That House Bill No. 3 do pass.

GERARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 2 and 3.

PARKER, Chairman.

Motion was made by Cerovski that the Rules be suspended by unanimous consent for the purpose of placing House Bills Nos. 2 and 3 on Third Reading. Motion carried.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner, appropriation measure having been read at length:

House Bill No. 2 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fladager, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Kvaalen, Langston, Lees, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden (Lincoln), Sheldon (Flathead), Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 67.

Noes: Anderson, Babock, Battin, Broeder, Cavan, Felt, Fjare, Gerard, Glead, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Leuthold, Loman, Nichols, Paulsen, Powell, Reinecke, Sales, Walton, Wright. Total 25.

Absent: None.

Excused: None.

Not voting: Corcoran, Elting. Total 2.

House Bill No. 3 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden (Lincoln), Sheldon (Flathead), Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, McGarvey, Mr. Speaker. Total 92.

Noes: Powell. Total 1.

Absent: None.

Excused: None.

Not voting: Elting. Total 1.

The Speaker made the following committee appointments:

Special committee to investigate the Highway Department: Bradford, chairman; Jardine, vice-chairman; Nees, Wold, Kiff, Corcoran.

Special committee to investigate the Fish and Game Department: Jensen, chairman; Sheehy, vice-chairman; Gill, Holecek, Paulsen, Cavan.

Special committee to investigate the Purchasing Department: McGarvey, chairman; Angstman, vice-chairman; Curry, Schwinden, Page (Missoula), Loman.

Special committee to investigate expenditures for the Governor's mansion: McOmber, chairman; Parker, vice-chairman; Barrett, Raundal, Haines (Prairie), Kolar.

It was moved by Cerovski that the House adjourn until 12:30 p.m., Thursday, January 8, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 8, 1959

House convened, pursuant to adjournment, at 12:30 p.m.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Daniels, who was excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Third Legislative Day, find the same to be correct.

ESKILDSEN, Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Seating, Mileage and Per Diem beg to submit the following list indicating the number of miles traveled by the following members of the House of Representatives and the sums due them therefor, for the session of the Thirty-sixth Legislative Assembly convening January 5, 1959:

Name	Miles	Amount
DeWolfe, Percy	468 @ .07	\$ 32.76
Gunderson, Harold O.	192 "	13.44
Jardine, John H.	140 "	9.80
Leuthold, John H.	456 "	31.92
Reinecke, Fred W.	970 "	67.90
Higham, Weldon	575 "	40.25
Cavan, John J.	484 "	33.88
Battin, James F.	484 "	33.88
Hawks, Clyde L.	670 "	46.90
Bardanouve, Francis	500 "	35.00
Tonner, L. P.	500 "	35.00

Strnisha, Joe	364	"	25.48
Gleed, Geo. E.	330	"	23.10
Wold, J. O.	458	"	32.06
Hanks, Virgil	200	"	14.00
Jensen, Arthur	360	"	25.20
Shelden, Arthur	670	"	46.90
Schwinden, Ted	868	"	60.76
Barrett, Fred	490	"	34.30
Reeder, Harrison	200	"	14.00
Daniels, M. K.	112	"	7.84
Raundal, R. S.	510	"	35.70
Wright, S. J.	840	"	58.80
Holecek, J. F.	400	"	28.00
Picard, E. R.	144	"	10.08
Felt, J. A.	484	"	33.88
Powers, M.	144	"	10.08
McNalley, O. P.	196	"	13.72
Woodring, R.	275	"	19.25
Nees, H. R.	780	"	54.60
Angstman, J. L.	420	"	29.40
Haines, Tom	240	"	16.80
Barnard, L.	668	"	46.76
Loughran, Mike	140	"	9.80
Wayrynen, R. J.	140	"	9.80
McOmber, W. O.	200	"	14.00
Clowes, Homer J.	740	"	51.80
Eskildsen, L.	600	"	42.00
Kvaalen, O. S.	940	"	65.80
Abel, K. C.	414	"	28.98
Aasheim, M.	1,008	"	70.56
Babcock, T.	488	"	34.16
Sheehy, J. C.	488	"	34.16
Shea, D. M.	144	"	10.08
Loman, R. M.	364	"	25.48
Mernin, H.	144	"	10.08
Regan, L. D.	190	"	13.30
Holtz, R.	212	"	14.84
Curry, L. F.	190	"	13.30
Morrison, G. A.	190	"	13.30
Gill, H. L.	452	"	31.64
Lees, C. E.	488	"	34.16
Rindy, D. V.	1,000	"	70.00
Howard, G. T.	240	"	16.80
Powell, L. D.	442	"	30.94
Page, W. E.	240	"	16.80
Walton, C. E.	240	"	16.80
Devier, J. R.	864	"	60.48
Healy, J. V.	144	"	10.08
Bentz, C. C.	1,000	"	70.00
Kiff, Claude	160	"	11.20
Kolar, E. L.	272	"	19.04
Glancy, W. J.	420	"	29.40
Haines, H. H.	870	"	60.90
Parker, C. C.	360	"	25.20
Nichols, N.	300	"	21.00
Elting, A. W.	792	"	55.44
Bashor, L. G.	426	"	29.82
Nelstead, T. E.	794	"	55.58
Fjare, O.	320	"	22.40
Fladager, M. W.	945	"	66.15
Langston, E.	300	"	21.00
Harball, C. H.	380	"	26.60
Sheldon, C. E.	480	"	33.60

Name	Miles		Amount
Gilfeather, P. J.	190	"	13.30
Barnes, Phil H.	664	"	46.48
Bradford, T. G.	200	"	14.00
Broeder, F. O.	480	"	33.60
Sales, W. L.	200	"	14.00
Moudree, H. L.	90	"	6.30
Page, D. M.	184	"	12.88
Karlberg, J.	240	"	16.80
Anderson, J.	488	"	34.16
Gerard, S.	386	"	27.02
McDonald, J. J.	660	"	46.20
McGarvey, D. L.	472	"	33.04
Emmons, John M.	196	"	13.72
Helding, O.	240	"	16.80
Wood, James, Jr.	282	"	19.74
Corcoran, Dan	340	"	23.80
Cerovski, Charles	400	"	28.00

LANGSTON, Chairman

Report adopted.

Mr. Speaker: We, your Committee on Employment, recommend that Robert E. Doecker be employed as Law Clerk in the House.

LOUGHRAN, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that a committee be appointed by the Speaker consisting of two Democrats and one Republican to study the various salaries paid administrative state officials as provided by law; that these salaries be equalized according to responsibility; that legislation be introduced to correct any such salary inequalities that this committee may find; that this committee report to the House of Representatives not later than the 25th legislative day. Motion carried.

Motion was made by Cerovski that a committee of two Democrats and one Republican be appointed by the Speaker to study the possibility of consolidating boards, bureaus and departments for the purpose of effecting economy in our state government; that this committee introduce legislation to effectuate any consolidation that it deems advisable; that this committee submit its report and recommendations to the House of Representatives not later than the 25th legislative day. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Bill No. 10, introduced by Cerovski, Gerard, Page (Granite): A bill for an act entitled: "An act to amend sections 10-611 and 10-633, Revised Codes of Montana, 1947, relating to hearings had in juvenile courts; providing for the admission of the general public and publicity in certain cases; repealing all acts or parts of acts in conflict herewith, and providing for an effective date of this act." Referred to Committee on Judiciary when appointed.

House Bill No. 11, introduced by McGarvey, Haines (Missoula), Sales, Hanks, Reeder, Devier: A bill for an act entitled: "An act to establish a permanent law enforcement academy for the State of Montana, providing for an advisory board to govern such academy, providing for powers and

duties of the advisory board, establishing rights of officers attending the academy, providing that the expenditure of county, city, town and municipal funds for this purpose shall be a lawful expenditure, providing for an effective date and repealing all other acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties when appointed.

Motion was made by Cerovski that the House recess subject to the call of the Chair. Motion carried.

House recessed.

House resumed.

The Speaker made the following committee appointments:

Special Committee to study the various salaries paid administrative state officials as provided by law: Holtz, chairman; Hanks, vice-chairman; Broeder.

Special Committee to study possibility of consolidating boards, bureaus and departments for the purpose of effecting economy in state government: Regan, chairman; Casey, vice-chairman; Felt.

Motion was made by Cerovski that the House adjourn until 11:00 a.m., Friday, January 9, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 9, 1959

House convened at 11:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Nelstead, Hawks and Sheehy, excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fourth Legislative Day, find the same to be correct.

ESKILDSEN, Chairman

The Speaker announced the following change in the membership of the Special Highway Investigating Committee: Aasheim to replace Jardine.

MESSAGES FROM THE SENATE

January 8, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bill was this day read third time, and concurred in, title and history agreed to, and the bill is herewith returned to the House:

House Bill No. 2 by Barnard.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

January 8, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 3 by Barnard.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the following investigating committees—on the Highway Department, Fish and Game Department, the Governor's mansion, Purchasing Department, Consolidation of State Offices, and Salaries of Administrative Officials—be provided with suitable quarters and all necessary aid for studying the problems of said committees; that all items of expense be returned by said committees with their reports, and that the Sergeant-at-Arms of this House of Representatives be authorized and directed to pay all expenses incurred by the membership of said committees upon presentation to the said Sergeant-at-Arms of proper vouchers signed by the chairman of said committees. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Bill No. 12, introduced by Anderson, Felt, Battin, Babcock, Sheehy, Lees, Wold, Cavan: A bill for an act entitled: "An act to amend section 75-1102 of the Revised Codes of Montana, 1947, relating to the objects and purposes of Eastern Montana College of Education; providing that one of the objects and purposes of said Eastern Montana College of Education be to instruct students in arts and sciences and containing a repealing clause." Referred to Committee on Education when appointed.

House Bill No. 13, introduced by Woodring, Walton, Hanks: A bill for an act entitled: "An act to amend section 16-1155 of the Revised Codes of Montana, 1947, relating to disposal of moneys received from the leasing of fair grounds to provide that all money received from the leasing of fair grounds shall be used by the Board of County Commissioners in the care and maintenance of the county fair grounds and buildings." Referred to the Committee on Townships and Counties when appointed.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Daniels of Powell in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 3 be concurred in.

DANIELS, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

Senate Amendments to House Bill No. 3 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon (Lincoln), Sheldon (Flathead), Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent: None.

Excused: Nelstead, Hawks, Sheehy. Total 3.

Not voting: Haines (Missoula), Jardine, Loughran. Total 3.

Mr. Speaker: We, your Committee on Enrolling, beg leave to report the following bills correctly enrolled: House Bills Nos. 2 and 3.

JARDINE, Chairman.

I have examined House Bill No. 2 introduced by Barnard and find the same to be correct.

BARNARD.

I have examined House Bill No. 3 introduced by Barnard and find the same to be correct.

BARNARD.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 2 and 3.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 2 and 3 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:15 o'clock p.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Motion was made by Cerovski that the House adjourn until 12:00 noon, Monday, January 12, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 12, 1959

House convened at 12:00 noon, pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Haines (Prairie), Gleed, and Angstman, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifth Legislative Day, find the same to be correct.

ESKILDSSEN, Chairman.

The Speaker made the following committee appointments:

Oil and Gas Committee: Devier, chairman; Woodring, vice-chairman; Glancy, Daniels, Bashor, Bradford, Mernin, DeWolfe, Rindy, Tonner, Anderson, Reinecke, Sales, Fladager, Walton.

Privileges and Elections Committee: Karlberg, chairman; Lees, vice-chairman; Gunderson, McGaffick, Morrison, Curry, Devier, Powers, Gilfeather, Gill, Loman, Fjare, Fladager, Page (Missoula), Battin.

Irrigation and Water Conservation Committee: McOmber, chairman; Hanks, vice-chairman; Tonner, Reeder, Barnes, Glancy, Devier, Langston, Raundal, Wold, Howard, Higham, Kolar, Loman, Corcoran.

Liquor Control Committee: Reeder, chairman; Nees, vice-chairman; Wayrynen, Barnes, Picard, Holecek, Langston, Lees, Moudree, Shea, Gleed, Sales, Corcoran, Haines (Missoula), Battin.

Affairs of Cities Committee: Clowes, chairman; Karlberg, vice-chairman; Healy, Abel, Bradford, Angstman, Jardine, Lees, Shea, Curry, Howard, Babcock, Sales, Nelstead, Battin.

Banking and Insurance Committee: Regan, chairman; Schwinden, vice-chairman; Emmons, Curry, Holecek, Jardine, Moudree, Page (Granite), Raundal, Rindy, Corcoran, Fjare, Kiff, Nichols, Paulsen.

Conservation and Development Committee: Barnes, chairman; McGaffick, vice-chairman; Barnard, Harball, Emmons, Gilfeather, Gill, Gunderson, Sheldon (Flathead), Shelden (Lincoln), Sales, Kvaalen, Kolar, Wright, Haines (Prairie).

Entertainment Committee: Sheehy, chairman; Langston, vice-chairman; Shea, Paulsen, Kiff.

Intergovernmental Cooperation Committee: Casey, chairman; Bardanoue, vice-chairman; Picard, Sheehy, Reinecke.

Judiciary Committee: Daniels, chairman; Gilfeather, vice-chairman; McGarvey, Angstman, Bradford, Jardine, Sheehy, Morrison, Holding, Harball, Anderson, Battin, Cavan, Felt, Paulsen.

Labor Committee: Holding, chairman; Glancy, vice-chairman; Jensen, Regan, Mernin, McNally, Powers, Shelden (Lincoln), Page (Granite), Strnisha, Anderson, Elting, Wright, Fjare, Powell.

Military Affairs Committee: Abel, chairman; Barrett, vice-chairman; Daniels, Langston, Clowes, Eskildsen, McOmber, Regan, Picard, Wayrynen, Babcock, Anderson, Felt, Hawks, Higham.

Mines and Mining Committee: Healy, chairman; Glancy, vice-chair-

man; Loughran, Jensen, Morrison, McNally, Powers, Tonner, Shea, Bashor, Leuthold, Gleed, Bentz, Babcock, Broeder.

Public Utilities and State Commissions Committee: Tonner, chairman; Raundal, vice-chairman; Reeder, Langston, Loughran, Eskildsen, Regan, Bardanouve, Harball, Wold, Anderson, Howard, Haines (Prairie), Loman, Kolar.

COMMUNICATIONS AND PETITIONS

January 12, 1959.

Honorable John J. MacDonald, Speaker,
House of Representatives,
The Capitol,
Helena, Montana.

Dear Mr. MacDonald:

Under the mandate of the 35th Legislative Assembly, State of Montana, there is hereby transmitted to the House a bill proposed for re-codification of Montana Insurance Laws.

Respectfully,
JOHN J. HOLMES,
State Auditor & Ex Officio,
Commissioner of Insurance.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, recommend that the following be hired in the House:

Mrs. Charles Marshall, Secretary for Majority Floor Leader; Elmer C. Linebarger, Clerk; Robert P. Wilson and Lynn P. Kramer, Proofreaders; John J. Jewell, Stenographer; Alice M. Amundson, Typist; Delmer Moe, Clerk; Ellen Anderson, Proofreader.

LOUGHRAN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

January 9, 1959.

Honorable John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 2—Introduced by Barnard.

H. B. No. 3—Introduced by Barnard.

Very truly yours,
J. HUGO ARONSON,
Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the membership of the Committee on Livestock and Public Ranges be increased from 15 to 18 members. Motion carried.

Motion was made by Cerovski that the membership of the Committee on Ways and Means be increased from 15 to 18 members. Motion carried.

Motion was made by Cerovski that the membership of the Committee on Highways and Highway Transportation be increased from 15 to 18 members. Motion carried.

Motion was made by Cerovski that the membership of the Committee on Agriculture, Dairying and Horticulture be increased from 15 to 18 members. Motion carried.

Motion was made by Cerovski that the membership of the Committee on Fish and Game be increased from 15 to 18 members. Motion carried.

Motion was made by McOmber that the Select Committee on the Governor's mansion have until the 15th legislative day to make their report. Motion carried.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 14, introduced by Bardanouve, Parker, Strnisha, Broeder: A bill for an act entitled: "An act to amend section 41, chapter 263, Laws of Montana, 1955, relating to speed restrictions and basic rule for speed; by establishing a maximum daylight speed limit; by providing that all acts or parts of acts in conflict herewith are hereby repealed; by providing for effective date of act." Referred to Committee on Highways and Highway Transportation when appointed.

House Bill No. 15, introduced by Lees, Haines (Missoula), Gerard, Morrison, Schwinden, Emmons, McGarvey: A bill for an act entitled: "An act prescribing rules and regulations for numbering and registering motorboats and vessels in the State of Montana; defining terms and designating the Montana State Board of Equalization as the state agency responsible for the administration of said act in the State of Montana; providing minimum equipment requirements for motorboats and vessels; establishing safety regulations for the use and operation of motorboats and vessels in the State of Montana; establishing safety regulations for the use of water-skis, surfboards and similar devices; providing penalties for violation of said act; repealing sections 94-35-266, 94-35-267, and 94-35-268 of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with this act; providing a savings clause and effective date." Referred to the Committee on Highways and Highway Transportation when appointed.

House Bill No. 16, introduced by Felt, Gerard, Wood, Howard, Reinecke, Barrett: A bill for an act entitled: "An act to amend sections 71-106, 71-222 and 71-311, Revised Codes of Montana, 1947, by adding provisions providing for an additional six (6) mill levy be in addition to the six (6) mills heretofore provided for in said sections; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Townships and Counties when appointed.

House Bill No. 17, introduced by Felt, Gerard, Wood, Howard, Reinecke, Barrett: A bill for an act entitled: "An act to authorize in certain instances the Boards of County Commissioners to levy an additional tax of not to exceed (8) mills for the county poor funds; and providing for an

effective date and a repealing clause." Referred to Committee on Townships and Counties when appointed.

House Bill No. 18, introduced by Haines (Missoula): A bill for an act entitled: "An act to amend section 7, of chapter 142, of the Session Laws of Montana, 1949, relating to the kinds of certificates for teaching, to provide for higher requirements for persons requesting the elementary school standard certificate and the elementary school advanced certificate and providing for an elementary rural certificate; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education when appointed.

House Bill No. 19, introduced by Leuthold, Lees, Higham, Morrison: A bill for an act entitled: "An act to amend section 10-623, Revised Codes of Montana, 1947, relating to the duties and powers of the probation department and requiring that a monthly report be filed with the State Department of Public Welfare, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions when appointed.

The Speaker made the following committee appointments:

Livestock and Public Ranges Committee: Langston, chairman; DeWolfe, vice-chairman; Barnard, Barnes, Aasheim, Bardanouve, Bashor, Gilfeather, Morrison, Nees, Raundal, Rindy, Hawks, Kiff, Powell, Fjare, Fladager, Elting.

Ways and Means Committee: Emmons, chairman; Holtz, vice-chairman; Gilfeather, Parker, Wood, Strnisha, Angstman, Sheehy, Schwinden, Holecsek, Hanks, Gunderson, Felt, Nelstead, Sales, Page (Missoula), Corcoran, Paulsen.

Motion was made by Cerovski that the House recess subject to the call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

The Speaker made the following committee appointments:

Constitutional Amendments and Federal Relations Committee: Loughran, chairman; Sheehy, vice-chairman; Holtz, Parker, McGarvey, Regan, Wood, Holding, Barnard, Nees, Felt, Haines (Missoula), Broeder, Cavan, Kvaalen.

Education Committee: Barrett, chairman; Parker, vice-chairman; Holtz, McGarvey, Casey, Nees, Shelden (Lincoln), Page (Granite), Aasheim, Raundal, Leuthold, Wright, Kolar, Cavan, Kvaalen.

State Lands, Forests and Parks Committee: Strnisha, chairman; Angstman, vice-chairman; Barnard, Jensen, McGaffick, Gill, Bashor, Bardanouve, Mernin, Woodring, Broeder, Fladager, Kiff, Felt, Reinecke.

Railway and Aviation Transportation Committee: Jensen, chairman; Harball, vice-chairman; Angstman, Gunderson, Wayrynen, Wood, McOmber, Sheldon (Flathead), Curry, Wold, Babcock, Kiff, Hawks, Gleed, Loman.

Social Security Committee: Parker, chairman; Shelden (Lincoln), vice-chairman; Mernin, Karlberg, Powers, Tonner, Healy, McNally, Casey, Holding, Walton, Elting, Kolar, Higham, Cavan.

Agriculture, Dairying and Horticulture Committee: Holtz, chairman; Gunderson, vice-chairman; Barnes, Wood, McOmber, Eskildsen, Woodring, Sheldon (Flathead), Harball, Strnisha, Hanks, Moudree, Leuthold, Powell, Hawks, Loman, Higham, Kvaalen.

State Boards and Institutions Committee: Eskildsen, chairman; Holecek, vice-chairman; Clowes, Daniels, Abel, McNally, Picard, DeWolfe, Karlberg, Wayrynen, Higham, Howard, Nichols, Page (Missoula), Haines (Prairie).

Townships and Counties Committee: Picard, chairman; Gill, vice-chairman; Barrett, Holtz, Devier, Rindy, Sheehy, Schwinden, Nees, Aasheim, Nelstead, Nichols, Paulsen, Fladager, Wright.

Workmen's Compensation Committee: McGarvey, chairman; Powers, vice-chairman; Karlberg, Emmons, Healy, McNally, Mernin, Sheldon (Flathead), Glancy, Sheldon (Lincoln), Bentz, Battin, Broeder, Haines (Missoula), Haines (Prairie).

Fish and Game Committee: Wayrynen, chairman; Strnisha, vice-chairman; Holding, Jensen, Abel, Holecek, Lees, Gill, Hanks, Rindy, McGaffick, Moudree, Reinecke, Powell, Page (Missoula), Walton, Bentz, Fjare.

Highways and Highway Transportation Committee: Wood, chairman; Bradford, vice-chairman; Woodring, Eskildsen, Reeder, DeWolfe, Aasheim, Wold, Schwinden, Barrett, Moudree, Hanks, Babcock, Bentz, Broeder, Haines (Prairie), Nichols, Leuthold.

Public Health, Morals and Safety Committee: Morrison, chairman; Page (Granite), vice-chairman; Sheldon (Flathead), Shea, Bashor, Healy, Emmons, Clowes, Casey, Wold, Cavan, Elting, Kvaalen, Leuthold, Haines (Missoula).

The Speaker announced the following changes in committee memberships: Moudree removed from Liquor Control Committee and replaced by McGaffick; Fladager removed from Livestock and Public Ranges Committee and replaced by Walton.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that a special committee be appointed by the Speaker, consisting of four Democrats and two Republicans, to study the Bureau of Pardons and Paroles; that this committee be given the power to issue subpoenas, take oaths, hold hearings; that this committee be given the power to employ any persons necessary in the investigation and to file claims for any expenses incurred with the Sergeant-at-Arms' office and that such claims be paid from the appropriations from the general fund; and that this committee be required to report to the House of Representatives not later than the 25th legislative day. Motion carried.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 20, introduced by Holding, Sheldon, Karlberg, Strnisha, Emmons, Glancy, Healy, Picard: A bill for an act entitled: "An act to provide for the welfare of people who work; establishing a minimum wage for certain employees in the State of Montana; defining terms; providing for the keeping of records; providing civil remedy; providing penalties; repealing conflicting acts." Referred to Committee on Labor.

House Bill No. 21, introduced by Tonner, Barnard: A bill for an act entitled: "An act giving authority to the State Superintendent of Public Instruction to request, accept and use federal funds for school building construction or for any other school purpose; and providing an effective date." Referred to Committee on Education.

House Bill No. 22, introduced by Gunderson, Healy, Anderson, Holding, Reeder, Wold: A bill for an act entitled: "An act to amend section 23-

1608, R.C.M. 1947, relating to the arrangement and adjustment of voting machines, to provide that the ballot used on voting machines shall be arranged to conform as closely as possible to the arrangement of paper ballots used in precincts which do not have voting machines; to provide for the placing of the names of non-partisan judicial candidates in a position on voting machines similar to the position occupied by non-partisan judicial candidates upon paper ballots; and repealing section 23-2013, R.C.M. 1947." Referred to Committee on Privileges and Elections.

House Bill No. 23, introduced by Eskildsen, Bardanouve: A bill for an act entitled: "An act to amend section 3-208, Revised Codes of Montana, 1947, relating to charges of public warehousemen, to increase certain charges and to define immediate delivery of identical grain as limited to seventy-two (72) hours; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Agriculture, Dairying and Horticulture.

The Speaker appointed the following special committee for investigation of Bureau of Pardons and Paroles: Gilfeather, chairman; Glancy, vice-chairman; Eskildsen, Rindy, Anderson, Battin.

Motion was made by Cerovski that the House adjourn until 10:00 a. m., Tuesday, January 13, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 13, 1959

House convened at 10:00 a. m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Curry, Haines (Prairie), and Morrison, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Eighth Legislative Day, find the same to be correct.

ESKILDSSEN, Chairman.

MESSAGES FROM THE GOVERNOR

January 13, 1959.

Honorable John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

In accordance with section 29, chapter 153 of the 1955 Session Laws, I submit herewith a complete list of the remissions of fine or forfeiture, reprieves, commutations and pardons recommended by the State Board of

Pardons and approved by me since the last previous report was submitted to the Legislature.

Very truly yours,
J. HUGO ARONSON, Governor.

REPORT OF PARDONS, PAROLES, REMISSION OF FINES AND COMMUTATION OF SENTENCES—1957-1958

Case No. 2698—Donald Shawhan, who on the 20th day of October, 1955, was sentenced to five (5) years imprisonment in the Montana state prison for manslaughter, which sentence was suspended, was granted a pardon and restoration of civil rights April 23, 1957, after a public hearing was held January 22, 1957.

Case No. 2701—Calvin Keith Simon, who on the 14th day of January, 1952, was sentenced to one (1) years imprisonment in Montana state prison for assault in the second degree, was granted a pardon and restoration of civil rights July 25, 1957.

Case No. 2704a—Gordon Moy, who on the 24th day of March, 1956, was sentenced to thirty (30) days imprisonment in Montana state prison for burglary, was granted a pardon and restoration of civil rights February 28, 1958, after a public hearing was held January 25, 1958.

Case No. 2707—Joseph E. Murphy, Jr., who on the 27th day of January, 1955, was sentenced to five (5) years imprisonment in Montana state prison for rape, which sentence was suspended, was granted a pardon and restoration of civil rights April 11, 1958, after a public hearing was held the 22nd day of March, 1958.

Case No. 2709—William Perry, who on the 7th day of August, 1957, was sentenced to six (6) months and also ten (10) days confinement in Powell County jail and to pay a fine of \$300 for driving while under the influence of intoxicating liquor and driving while his drivers' license was revoked, was granted a remission of the balance of the fine on April 30, 1958, after a public hearing was held April 26, 1958.

Case No. 2710—Howard Gunderson, who on the 6th day of December, 1957, was sentenced and fined \$500 with the provision that if the fine were not paid he was to serve one day in the Wibaux County jail for each \$2 of the fine, for making and uttering a fraudulent check, was granted the remission of the balance of the fine on April 30, 1958, after a public hearing was held April 26, 1958.

Case No. 2711—James W. Black, who on the 17th day of May, 1957, was sentenced to a term of eight (8) months in the Valley County jail and, in addition, he pay a fine of \$450 for operating a motor vehicle while under the influence of alcohol and also a like conviction on the 16th day of October, 1956, was granted a remission of the balance of fine April 30, 1958, after a public hearing was held April 26, 1958.

Case No. 2725—Kenneth Brandon, who on the 9th day of May, 1958, was fined \$260 for driving a motor vehicle while under the influence of intoxicating liquor and driving without a driver's license, was granted a remission of the balance of the fine July 30, 1958, after a public hearing was held July 26, 1958.

Case No. 2702—Marvin Cockrell, who on the 18th day of April, 1957, was committed to two (2) years imprisonment in Montana state prison for assault in the second degree, was granted commutation of his sentence from two (2) years to six (6) months July 25, 1957, after a public hearing was held June 22, 1957.

Case No. 2705a—Raymond A. Gerber, who on the 22nd day of May,

1957, was sentenced to five (5) years imprisonment in Montana state prison for grand larceny, was granted a commutation of sentence from five (5) years to three (3) years on the 4th day of April, 1958, after a public hearing was held February 22, 1958.

Case No. 2708—William Donald Lund, who on the 14th day of November, 1956, was sentenced to twenty (20) years imprisonment in Montana state prison for robbery, was granted a commutation of sentence from twenty (20) years to seven (7) years on the 24th day of April, 1958, after a public hearing was held March 22, 1958.

Case No. 2723—Stephen A. Miller, who on the 26th day of April, 1955, was sentenced to five (5) years imprisonment in Montana state prison for rape and was paroled the 20th day of June, 1956, was granted a commutation of sentence from five (5) years to three and one-half (3½) years and restoration of civil rights on the 7th day of July, 1958, after a public hearing was held June 21, 1958.

In addition to the above, there have been 27 separate restorations of civil rights.

Respectfully submitted,
J. HUGO ARONSON, Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that House Bill No. 15 be taken from the Committee on Highways and Highway Transportation and be referred to the Committee on Public Health, Morals and Safety. Motion carried.

Motion was made by Cerovski that the membership of the Committee on Ways and Means be increased from 18 to 21 members. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times and referred to the Committee on Judiciary:

House Bill No. 24, introduced by Haines (Missoula), Howard, Page (Missoula): A bill for an act entitled: "An act to provide for the establishment and maintenance of joint county youth guidance centers and juvenile detention homes; and repealing all acts and parts of acts in conflict herewith."

Motion was made by Cerovski, and carried, that the House recess until 12:00 noon.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 4, respectfully report as follows: That House Bill No. 4 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 7, respectfully report as follows: That House Bill No. 7 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 9, respectfully report as follows: That House Bill No. 9 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 23, respectfully report as follows: That House Bill No. 23 be amended as follows:

Strike out on line 6, page 1 of the title of the original bill the word "increase" and replace it with the word "decrease," and as amended, do pass.

HOLTZ, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following were introduced, read first and second times and referred to committees:

House Bill No. 25, introduced by McNally, Cerovski, Picard, Casey, Glancy, Sheehy, Powers, Elting, Higham, Emmons, Wayrynen, Shea, Healy, Holding: A bill for an act entitled: "An act creating a special fund to be managed by the State Board of Examiners for the benefit of the Montana State Hospital, declaring the purposes of the fund, fixing the duration of the fund and providing for the repeal of conflicting acts and parts of acts." Referred to Committee on State Boards and Institutions.

House Bill No. 26, introduced by Glancy, Langston, Wold, Babcock: A bill for an act entitled: "An act relating to cancellation of record of special improvement district warrants and liability accounts in rural improvement districts in counties in which warrants or liability accounts were incurred or issued prior to February 25, 1929, and the liability of which has been extinguished by reason of issuance of tax deeds, by application of statute of limitations, or other laws of the State of Montana." Referred to Committee on Townships and Counties.

House Bill No. 27, introduced by Committee on Agriculture: A bill for an act entitled: "An act to amend section 27-403 of the Revised Codes of Montana of 1947, relating to definitions of words and terms used in the Montana milk control law, by specifying two classes of milk for the purposes of the act and the particular products to be included in each class; section 27-404 of the Revised Codes of Montana of 1947, as amended by chapter 249 of the laws of 1957, relating to membership on the Milk Control Board, compensation of members, and the calling of meetings, by providing for a five (5) member board to be appointed by the Governor, five (5) year terms of office, per diem for expenses, and call of meetings by the chairman or a majority of the board; section 27-405 of the Revised Codes of Montana of 1947, relating to the general powers of the Milk Control Board, by providing the Milk Control Board shall have the power to take depositions at its offices, agents of the board may call and give notice of price hearings when the board is not in session, and the method whereby subpoenas issued by the board may be enforced by District Courts; section 27-406 of the Revised Codes of Montana of 1947, relating to establishment of natural marketing areas, by providing the entire state shall be embraced in not less than five (5) natural marketing areas, by providing methods for establishment of such areas and adjustment or alteration of their boundaries under certain circumstances; section 27-407 of the Revised Codes of Montana of 1947, relating to orders fixing prices, by specifying the types and contents of notices of hearings to be given by the board and what shall be contained in price orders; section 27-409 of the Revised Codes of Montana of 1947, relating to license fees, by providing for an annual license fee of two dollars (\$2.00) and, in addition thereto, an annual

assessment upon producers, producer-distributors, and distributors to be made by the Milk Control Board for the purpose of enforcing and administering this act; section 27-410 of the Revised Codes of Montana of 1947, relating to application for licenses, by removing therefrom the provision that the license year shall begin on January first of each year and the provision relating to reduced license fees under certain circumstances; section 27-414 of the Revised Codes of Montana of 1947, relating to rules of fair trade practices, by providing the Milk Control Board shall formulate rules and regulations concerning certain practices which are hereby declared unfair, unlawful and not in the public interest; section 27-416 of the Revised Codes of Montana of 1947, relating to reports of milk dealers, by requiring the Milk Control Board to adopt a uniform system of accounting to be used by distributors to account for the useage of all milk received by them and by providing specific records which must be kept by distributors; adding new sections to the milk control law to provide for bonding of distributors, appointment and function of local advisory boards when public hearings are scheduled for the purpose of fixing prices, judicial review of orders or decisions of the Milk Control Board, and the method of serving process upon the Milk Control Board; repealing sections 27-412 and 27-419 of the Revised Codes of Montana of 1947; providing that the unconstitutionality of a part of this act shall not affect or impair the remainder; repealing all acts and parts of acts in conflict herewith; and providing this act shall be in full force and effect from and after its passage and approval." Referred to Committee on Agriculture, Dairying and Horticulture.

House Bill No. 28, introduced by Daniels: A bill for an act entitled: "An act to approve and legalize and adopt as prima facie the laws of Montana replacement volume number 1 (in two parts) and to adopt as official replacement volume 9 of the Revised Codes of Montana of 1947, as published by the publishers and distributors of said code." Referred to Committee on Judiciary.

House Bill No. 29, introduced by Committee on Banking and Insurance (by request): A bill for an act entitled: "An act to provide a comprehensive revision, consolidation and classification of the Laws of the State of Montana relating to insurance and to the insurance business; regulating the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign and alien insurance companies, societies, and associations; providing for their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this act may exercise their powers; providing for the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; providing for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this state; providing for certain powers, rights, obligations, immunities, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; providing for the imposition of licenses, fees, and taxes, and for the disposition thereof; providing for the departmental supervision and regulation of the insurance business within or relative to this state; providing penalties for the violation of this act; providing for an effective date of this act; repealing the following sections of the Revised Codes of Montana, 1947: section 25-101; sections 40-101 through 40-105; sections 40-201 through 40-218; sections 40-301 through 40-323; sections 40-401 through 40-415; sections 40-501 through 40-517; sections 40-601 through 40-609; sections 40-701 through 40-706; section 40-801; sections 40-901 through 40-905; sections 40-1001 through 40-1005; sections 40-1101 through 40-1118; section 40-1204; section 40-1301; section 40-1302 as amended by section 1, chapter 224, Laws of Montana, 1957; sections 40-1303 through 40-1333; sections 40-1401 through 40-1441; sections 40-1501 through 40-

1517; sections 40-1601 through 40-1625; sections 40-1701, 40-1702; sections 40-1704 through 40-1722; section 40-1726; sections 40-1801 through 40-1820; sections 40-1901 through 40-1946; sections 40-2001 through 40-2012; sections 40-2101 through 40-2138; sections 40-2201 through 40-2212; sections 40-2301 through 40-2310; sections 40-2401 through 40-2412; section 40-2413 as amended by section 1, chapter 108, Laws of Montana, 1955; sections 40-2414 through 40-2416; and sections 40-2501 through 40-2513; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banking and Insurance.

House Bill No. 30, introduced by Tonner, Holding: A bill for an act entitled: "An act to amend section 81-1704 of the Revised Codes of the State of Montana, 1947, relating to the royalty paid for gas and oil on state lands; to provide that such royalty reservation shall be not less than twelve and one-half per centum (12½%).” Referred to Committee on Oil and Gas.

Motion was made by Cеровski that the House adjourn until 10:00 a. m., Wednesday, January 14, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

TENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 14, 1959

House convened at 10:00 a. m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Kvaalen and Haines (Prairie), who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Ninth Legislative Day, find the same to be correct.

ESKILDSSEN, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 7 and 9, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

The Speaker announced the following change in the membership of the Committee on Liquor Control: Loughran to replace Shea.

The Speaker announced the following additions to the membership of the Committee on Ways and Means: Shea, McGarvey and Powell.

REPORTS OF STANDING COMMITTEES

January 13, 1959.

Mr. Speaker: We, your Committee on Employment, recommend that the following be employed in the House:

Jennie H. Lee, clerk in mailing department; Adolph Deschenes, proofreader; James J. Connolly, proofreader; Hazel W. Janes, clerk; Inez L. Scow, clerk; Mabel Schultz, stenographer; Mona G. Swan, Clara Dahl and Bernice G. Fletcher be moved from typists to stenographers; Kenneth Sheehan be moved from proofreading to mailing department; Mae Fellows be deleted from the payroll as proofreader.

LOUGHRAN, Chairman.

Report adopted.

January 14, 1959.

Mr. Speaker: We, your Committee on Employment, recommend that the following be employed in the House:

Dorris Dietzen, stenographer; John Ferguson, stenographer; Rose E. Weber, stenographer; Rose Winfield be deleted from the payroll as stenographer; Ernest Neiman be moved from night watchman to stenographer; Barbara Major be moved from clerk to stenographer.

LOUGHRAN, Chairman.

Report adopted.

The following were introduced, read first and second times and referred to committees, the appropriation measure having been read at length:

INTRODUCTION OF BILLS

House Bill No. 31, introduced by Daniels, McGarvey, Felt, Anderson, Battin, Cavan, Sheehy, Jardine, Angstman, Bradford, Cerovski: A bill for an act entitled: "An act authorizing and empowering the Supreme Court of the State of Montana to regulate by rules, the pleading, practice and procedure in civil cases in the courts of the State of Montana, for the purpose of simplifying judicial proceedings and promoting the speedy determination of litigation upon its merits; providing that all present laws relating to pleading, practice and procedure, shall be effective as rules of court until modified or superseded by subsequent court rule, and upon the adoption of any rule pursuant to this act such laws, insofar as they are in conflict therewith, shall thereafter be of no further force and effect; reserving power in the legislature to enact, modify or repeal any statute or any rule adopted pursuant to this act; creating a commission to prepare suggested rules of procedure of the State of Montana and prescribing the membership and powers and duties of said commission; providing for employment of research agencies, if deemed necessary; providing for payment of actual travel and other expenses incurred by members of said commission in the discharge of their duties; providing that all rules adopted under this act shall have the force and effect of statutes and providing for printing of such rules as a part of the Revised Codes of Montana; appropriating funds to carry out the provisions of this act; repealing all acts and parts of acts in conflict herewith and providing for an effective date of this act." Referred to Committee on Judiciary.

House Bill No. 32, introduced by Wood, Barnard, Strnisha, Holtz, Gunderson, Langston, Hanks, Nichols, Bentz, McOmber, Leuthold, Powell, Eskildsen, Woodring, Howard, Devier, Kvaalen, Harball, Wold, Holecsek: A bill for an act entitled: "An act to amend section 84-1818 Revised Codes of Montana as amended relating to procedure on refund of gasoline license tax and amending chapter 18, title 84, Revised Codes of Montana, 1947, by adding a new section to be numbered 84-1818.1, providing for exemption of gasoline used in farming, providing for an annual agricultural exemption permit; providing for an agricultural exemption invoice and certificate and methods of reporting by dealers and distributors; providing for exemptions of counties, cities, towns, and school districts from state gasoline tax, and providing procedure for obtaining such exemption; providing for

rules and regulations to be prescribed by State Board of Equalization; providing for penalties for violation of provisions of this act; providing for a savings clause; providing an effective date and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Agriculture, Dairying and Horticulture.

House Bill No. 33, introduced by Holding, Karlberg, McGaffick, Emmons, Sheldon, Howard, Picard, Glancy, Healy, Cerovski: A bill for an act entitled: "An act making it unlawful for any employer to discriminate against individuals over the age of forty-five (45) years, because of their age, in promotion compensation or in terms, conditions or privileges of employment. Repealing all acts or parts of acts in conflict herewith." Referred to Committee on Labor.

House Bill No. 34, introduced by Haines (Missoula), Page (Missoula), McOmber, Howard: A bill for an act entitled: "An act to amend section 69-2401 of the Revised Codes of Montana, 1947; providing for defining a boarding home or nursing home for aged persons to be a home where one or more aged persons are residing and boarding or receiving nursing care; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions.

House Bill No. 35, introduced by Wayrynen: A bill for an act entitled: "An act relating to the regulation of the issue, sale, gift or other disposition, or use of trading stamps, as herein defined, for or with the sale of tangible personal property or services; providing for the escheat to the state of the redeemable face value of trading stamps not redeemed within a specified period of time; providing for penalties for the violation of this act; and providing remedies for the enforcement of this act and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 36, introduced by Kvaalen, Aasheim, Barnes, Schwinden, Sales, Walton: A bill for an act entitled: "An act to amend section 76-117 of the Revised Codes of Montana, 1947, as enacted by chapter 46, laws of 1951, relating to the change of district name of soil conservation districts by providing for the division or combination or combination and division of soil conservation districts; containing a repealing clause and providing for an effective date." Referred to Committee on Conservation and Development.

House Bill No. 37, introduced by Kvaalen, Aasheim, Barnes, Sales, Walton, Schwinden: A bill for an act entitled: "An act to amend section 76-102, Revised Codes of Montana, 1947, relating to legislative determinations and declarations of policy for soil conservation districts and section 76-108, Revised Codes of Montana, 1947, relating to the powers of soil conservation districts and supervisors by determining and authorizing soil conservation districts to include flood prevention and the conservation, development, utilization and disposal of water within their program; providing a repealing clause and effective date of this act." Referred to Committee on Conservation and Development.

House Bill No. 38, introduced by Kvaalen, Aasheim, Barnes, Sales, Walton, Schwinden: A bill for an act entitled: "An act to amend section 76-107 of the Revised Codes of Montana, 1947, relating to the appointment, qualifications and tenure of soil conservation district supervisors by authorizing the supervisors to appoint supervisors for vacancies occurring in said office; providing a repealing clause and effective date of this act." Referred to Committee on Conservation and Development.

Motion was made by Cerovski that the House recess until 1:00 p.m., this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 4 and 23, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Gerard that a special committee be appointed by the Speaker, consisting of four Democrats and two Republicans to study the operation of the following elective offices:

1. Governor.
 2. Secretary of State.
 3. Attorney General.
 4. Auditor.
 5. Treasurer.
 6. Superintendent of Public Instruction.
- and particularly with reference to:
1. The number of hours each day and week the employees in said offices have been and are working.
 2. The amount of postage purchased and the purposes for which it is used.
 3. The cost of printing incurred and the purposes of such printing.
 4. The charges for long-distance telephone calls and the necessity for such calls.
 5. The collection and disposition of fees collected.
 6. The mileage and per diem claimed and the reason for and necessity of such expenditures.

That this committee be given the power to issue subpoenas, take oaths, and hold hearings;

That this committee be given the power to employ any persons necessary to such investigation and to file claims for any expenses incurred with the Sergeant-at-Arms, and that such claims be paid from the appropriations from the general funds; and

That this committee be required to report to the House of Representatives not later than the 30th legislative day.

Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times and referred to committees:

House Bill No. 39, introduced by Bradford, Gilfeather: A bill for an act entitled: "An act to amend section 54-125, Revised Codes of Montana, 1947, relating to penalties for violation of the narcotic drug act, to provide for increasing the penalty to one (1) to five (5) years upon conviction of first offense and to provide further for a penalty of from five (5) to

twenty (20) years upon a subsequent conviction." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 40, introduced by Eskildsen, Woodring, Glancy: A bill for an act entitled: "An act to amend section 9-209, Revised Codes of Montana, 1947, as amended by section 9, chapter 16, laws of 1945, section 1, chapter 93, laws of 1951 and section 1, chapter 4, laws of 1955, relating to the budgets and tax levies of cemetery districts; to provide for an increase from two (2) mills to two and one-half (2½) mills on each dollar of taxable valuation on the property of said cemetery districts." Referred to Committee on Townships and Counties.

House Bill No. 41, introduced by Abel, McGaffick, Clowes, Angstman, Page (Missoula), Cavan: A bill for an act entitled: "An act to amend section 11-1823 as amended by chapter 78, Montana Session Laws of 1937 and chapter 78, Montana Session Laws of 1949, Revised Codes of Montana, relating to the tax levy for the payment of police reserves in cities and towns of the first and second class in the State of Montana and specifying the limitation of such levies." Referred to Committee on Affairs of Cities.

House Bill No. 42, introduced by Holding, Schwinden, Nees, Cavan, Hanks, Leuthold, Lees: A bill for an act entitled: "An act to amend section 25-231, Revised Codes of Montana, 1947, as amended by chapter 90, laws of 1953, as amended by chapter 202, laws of 1955, and as amended by chapter 148, laws of 1957, relating to fees of county clerks and recorders; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Memorial No. 1, introduced by Wood, Barnard, Kiff, Bentz, Nelstead, Elting, Woodring, McOmber, Bardanouve, Langston, Hanks, Strnisha, Walton, Broeder, Schwinden: A memorial of the House of Representatives of the State of Montana to the Congress of the United States; to the Honorable James E. Murray and the Honorable Mike Mansfield, Senators from the State of Montana; the Honorable Lee Metcalf and the Honorable LeRoy Anderson, Representatives in Congress from the State of Montana; and to the Federal Communications Commission, Washington, D. C., urging that the Congress of the United States enact legislation that will lead to the authorization of very high frequency television translators and asking for an investigation of the now existing translators before any further action is taken against these translators by the Federal Communications Commission. Referred to Committee on Constitutional Amendments and Federal Relations.

MOTIONS AND RESOLUTIONS

Motion was made by McGarvey that House Bill No. 4 be taken from General Orders and be rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Cerovski that the House adjourn until 10:00 a. m., Thursday, January 15, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

ELEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 15, 1959

House convened at 10:00 a. m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Battin, Loman, and Haines (Prairie), who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Tenth Legislative Day, find the same to be correct.

ESKILDSSEN, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 14, respectfully report as follows: That House Bill No. 14 do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 28, respectfully report as follows: That House Bill No. 28 do pass.

DANIELS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

The following Resolution was read:

HOUSE RESOLUTION NO. 1

Introduced by Elting, Barnard, Howard, Gilfeather.

Resolution of the House of the Thirty-sixth Legislative Assembly of the State of Montana: A resolution asking for an investigation by the Legislative Council of all constitutional and statutory provisions relating to qualifications of justices of the peace; and asking the Legislative Council to present recommendations, suggestions and proposed legislation relative to changing said provisions, to the Thirty-seventh Legislative Assembly of the State of Montana.

Now, Therefore, Be It Resolved by the Legislative Assembly of the State of Montana, that the Legislative Council of the State of Montana is hereby asked to thoroughly investigate all constitutional and statutory provisions of the State of Montana relating to the qualifications of justices of the peace.

Be It Further Resolved, that the Legislative Council is asked to conduct necessary research of comparable laws in other states and consult suitable authorities and interested parties in determining realistic qualifications for candidates for the office of justice of the peace.

Be It Further Resolved, that the Legislative Council is hereby asked to prepare necessary legislation encompassing its findings and recommendations, and to submit the same to the Thirty-seventh Legislative Assembly at least twenty days prior to the opening session of said Thirty-seventh Legislative Assembly.

Motion was made by Elting that the above resolution be amended in the last paragraph thereof by placing a period (.) after the word "assembly" in line 29 and omitting the remainder of the paragraph, and that the resolution be adopted, as amended. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 43, introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana an amendment to section 20, article VII of the Constitution of the State of Montana relating to the composition, powers and duties of the State Board of Examiners, to provide for the abolishment of the State Board of Prison Commissioners as a constitutional body." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 44, introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act providing for the appointment of custodial officers to assist the warden in the performance of his duties in superintending prison discipline and prison labor; providing for the supervision and control over such employees by the warden; providing for various ranks within such class of employees, and prescribing the salaries thereof; providing for a period of probationary service and training in the respective ranks; providing for the suspension, demotion and discharge of such employees, and for an appeal from any such action to the Board of State Prison Commissioners; repealing all acts or parts of acts in conflict herewith; and providing for the effective date of the act." Referred to Committee on State Boards and Institutions.

House Bill No. 45, introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act to amend section 80-706, Revised Codes of Montana, 1947, relating to the duties of the warden; providing that except as provided by law, the warden has power to appoint and remove all necessary guards and assistants, in and about the prison, subject to the approval of the board as to the number appointed; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions.

House Bill No. 46, introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act to repeal section 80-721 of the Revised Codes of Montana, 1947, relating to the maintenance and operation of a prison wearing apparel factory; to repeal section 80-722 of the Revised Codes of Montana, 1947, relating to the prison factory revolving fund; to repeal section 80-723 of the Revised Codes of Montana, 1947, relating to the employment of prison labor for the prison wearing apparel factory; to repeal section 80-724, Revised Codes of Montana, 1947, relating to agreements relative to state uses of the products of the prison wearing apparel factory; to repeal section 80-725 of the Revised Codes of Montana, 1947, relating to the establishment of a prison tannery; to repeal section 80-726 of the Revised Codes of Montana, 1947, relating to the operation of the prison tannery; to repeal section 80-727 of the Revised Codes of Montana, 1947, relating to prices charged for treatment of hides; to repeal section 80-728 of the Revised Codes of Montana, 1947, relating to sale of state-owned hides; to repeal section 80-729 of the Revised Codes of Montana, 1947, relating to the supervision of the operation of the tannery; to repeal section 80-730 of the Revised Codes of Montana, 1947, relating to the manufacture and use of prison-made brick; to repeal section 80-734 of the Revised Codes of Montana, 1947, relating to the state prison fund." Referred to Committee on State Boards and Institutions.

House Bill No. 47, introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act to amend section 80-705, Revised Codes of Montana, 1947, as amended by section 1 of chapter 61 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana, 1957, relating to the warden of the state prison, his appointment, salary and removal; providing for the approval of any such appointment by the

Board of State Prison Commissioners; providing the qualification requirements of the warden; increasing the warden's salary and providing that he shall receive full maintenance while employed; providing for the service of notice of charges against him at least ten days prior to the day set for hearing; providing for a continuous term of employment during good behavior, and for compulsory retirement at the age of sixty-five (65), and for retention beyond that age by the Board of State Prison Commissioners, on a year to year basis; repealing all acts and parts of acts in conflict herewith; and providing for the effective date of the act." Referred to Committee on State Boards and Institutions.

House Bill No. 48, introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act to amend section 80-720, Revised Codes of Montana, 1947, relating to the employment of prisoners at Montana state prison; to provide that the Board of State Prison Commissioners, upon recommendation of the warden, may make incentive payments of money to prisoners employed in prison industries, to provide that the board shall authorize the payment of wages ranging from two cents to fifty cents per day depending on job grades, to establish certain criteria on which to base such job grades, to provide that all such wage payments shall be paid from the industrial revolving fund, and to repeal all acts or parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions.

House Bill No. 49, introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act to amend section 80-714, Revised Codes of Montana, 1947, relating to hours of labor for prison guards; providing that prison guards shall not be required to work more than forty hours or five days a week, except in emergencies; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions.

House Bill No. 50, introduced by Powers, Picard, Mernin, Healy, Glancy, Strnisha, McNally: A bill for an act entitled: "An act to amend section 71-1004 of the Revised Codes of Montana of 1947, as amended, relating to the amount of payment to persons having silicosis; repealing all acts and parts of acts in conflict herewith and providing for the effective date of this act." Referred to Committee on Social Security.

House Bill No. 51, introduced by Parker, Aasheim, Nees: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana of an amendment to section 3 of article VII of the qualifications of office of governor, lieutenant-governor, superintendent of public instruction, secretary of state, state auditor, state treasurer, attorney general." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 52, introduced by Glead, Gerard, Barrett, Moudree: A bill for an act entitled: "An act to amend section 81-908 of the Revised Codes of Montana, 1947, which section is part of chapter 9 of title 81 relating to the sale of state lands, by providing that limitations as to area and irrigableness shall not apply to lands within a federal irrigation project where the Congress of the United States now or hereafter authorizes water to be furnished to an area exceeding one hundred and sixty (160) irrigable acres." Referred to Committee on Irrigation and Water Conservation.

House Bill No. 53, introduced by Barrett, Aasheim, Fladager, Parker: A bill for an act entitled: "An act to amend section 75-2701, Revised Codes of Montana, 1947, as amended by chapter 216, laws of 1953, relating to earnable compensation and average final compensation of the teachers retirement system, State of Montana, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Social Security.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders. Motion carried.

Barrett of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 7 do pass.

That House Bill No. 9 do pass.

That House Bill No. 23 do pass.

BARRETT, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 13, respectfully report as follows: That House Bill No. 13 be amended as follows:

Amend the title of the bill, in line 7 of the original bill, by striking the word "shall" and inserting in lieu thereof the word "may";

Further amend the title of the bill, in line 8 of the original bill, by inserting after the word "be" the following: "deposited in the poor fund of the county, or such funds may be"; and

Amend in line 17 of the original bill by striking the word "shall" and inserting in lieu thereof the word "may" and in lines 17 and 18 by striking the parentheses and words "(matter deleted)" and inserting in lieu thereof the words "deposited in the poor fund of the county, or such funds may be";

and as amended, do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 26, respectfully report as follows: That House Bill No. 26 be amended as follows:

In line 11 of the title of the original bill by striking the period (.) and quotes (") following the word "Montana" and inserting in lieu thereof the semicolon (;) and the following words: "and containing a repealing clause";

and as amended, do pass.

PICARD, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees, appropriation measure having been read at length:

House Bill No. 54, introduced by Shelden (Lincoln), Holding, Karlberg, Holtz, Healy, Strnisha, Jensen, Powers, Page (Granite), Glancy: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to article III of the Constitution of the State of Montana, relating to the rights of the people of the State of Montana; by adding thereto a new section to be known and designated as section 32 of article III, providing that no law shall be adopted denying or abridging the right of employees to organize and bargain collectively, to form, join or assist in representative organizations, to provide by majority selection through free and secret election of such bargaining agent to represent the employees; providing that no law shall abridge the right to provide for union security; providing that the Legislative Assembly may provide by law for uniform application of these principles." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 55, introduced by Sheehy, Langston, Glancy, Felt, Babcock, Cavan: A bill for an act entitled: "An act appropriating the sum of \$81,166.60 to pay the claim of Glenn Chamberlain, minor male child, which claim was heard and unanimously approved and allowed in full by the State Board of Examiners on the 18th day of December, 1958, for injuries received, to-wit: Total and permanent blindness in both eyes, and complete loss of the index finger of the right hand, on the 8th day of May, 1956, in the impact area of the Montana National Guard firing range near Harlowton, Montana, by reason of the negligence of the Montana National Guard in leaving unexploded 37 MM shells in the impact area, not posting the same, knowing such shells were attractive to children, by reason of which said Glenn Chamberlain, a minor of twelve years of age on the 8th day of May, 1956, picked up and played with one of said unexploded 37 MM shells which exploded in his hand resulting in said injuries." Referred to Committee on Appropriations.

House Bill No. 56, introduced by Haines (Missoula), Page (Missoula), Howard, McOmber: A bill for an act entitled: "An act to provide for a school library supervisor in the State Department of Public Instruction; to provide for the appointment; defining his duties and qualifications; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 57, introduced by Loman, Morrison, Howard, Barnard: A bill for an act entitled: "An act to amend section 5, chapter 153 of the Laws of Montana of 1955, as amended by section 1, of chapter 122 of the Laws of Montana of 1957, relating to the appointment and employment of the director, employees and salaries of the Montana State Board of Pardons and providing that all employees excepting the director shall be processed under the joint merit system regarding all personnel matters." Referred to Committee on State Boards and Institutions.

House Bill No. 58, introduced by Loman, Barrett, Morrison: A bill for an act entitled: "An act providing for the control and regulation of publicity for juvenile court hearing and proceedings, and repealing section 10-633, Revised Codes of Montana, 1947, and containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 59, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend section 26-202.2, Revised Codes of Montana, 1947, relating to special licenses—tagging of carcasses of game animals; providing that any person obtaining a moose, mountain sheep, bison or buffalo under authority of a license shall not be eligible to obtain another license for the next ten years in any area where such

licenses are issued in limited number; providing that any person who did not kill, capture or possess such animal under such license will be eligible to re-apply upon the return of the unused permits; providing for the tagging of the carcasses of such animals and containing a repealing clause." Referred to Committee on Fish and Game.

House Bill No. 60, introduced by Wood, Glead, Felt, Picard: A bill for an act entitled: "An act to amend chapter 2 of the laws of the Thirty-fifth Legislative Assembly of the State of Montana, 1957, relating to the issuance of lettered license plates authorizing and directing the registrar of motor vehicles of the State of Montana to issue, upon proper application and proof, special license plates in addition to the regular license plates required by the provisions of chapter 1, title 53, "motor vehicles," Revised Codes of Montana, 1947, as amended and supplemented, for resident motor vehicle owners who operate amateur radio stations under license of the Federal Communications Commission; empowering and directing the registrar of motor vehicles to prescribe rules and regulations to effect the purposes of this act; authorizing lists of such special license plate holders and distribution of such lists to law enforcement officers, and specifying the duties of the registrar in connection with such lists; providing for surrender and return of special license plates upon revocation or expiration of any amateur radio license, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 61, introduced by Sales, Paulsen: A bill for an act entitled: "An act to amend section 11-3215, Revised Codes of Montana, 1947, relating to nomination of candidates at primary elections held under the commission-manager form of municipal government, by providing for the dispensing of a primary election for the nomination of candidates for the office of commissioner in such municipalities when the number of candidates legally qualified for the office of commissioner at such primary election does not exceed twice the number of vacancies in the commission to be filled; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Privileges and Elections.

House Joint Resolution No. 1, introduced by Glancy, Devier: "A joint resolution of the House and Senate of the State of Montana to the President of the United States, Dwight D. Eisenhower; to the Congress of the United States; to the Senate Interior and Insular Affairs' Committee; to Senators James E. Murray and Mike Mansfield; to Congressmen Lee Metcalf and LeRoy Anderson; and to the Hawaii delegation in the United States Congress and the Governor of the Territory of Hawaii; requesting the President and Congress of the United States to do what may be necessary to give full statehood to the Territory of Hawaii." Referred to Committee on Constitutional Amendments and Federal Relations.

The Speaker made the following committee appointments: Special Committee to study the operation of the elective offices of the State of Montana: Barrett, chairman; Harball, vice-chairman; McGaffick, Mernin, Fjare, Leuthold.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 7, 9 and 23.

PARKER, Chairman.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Friday, January 16, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

TWELFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 16, 1959.

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Glancy, Gleed, Haines (Prairie), Harball, Hawks, Nees, Nelstead, Page (Granite), Woodring, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Eleventh Legislative Day, find the same to be correct.

ESKILDSEN, Chairman.

COMMUNICATIONS AND PETITIONS

January 6, 1959.

The Hon. John J. MacDonald,
Speaker, Montana House of Representatives,
State Capitol Building,
Helena, Montana.

Dear Speaker MacDonald:

Under provision of chapter 4, section 12-404, Revised Codes of Montana, 1947, there is hereby submitted to the House of Representatives of the 36th Legislative Assembly, a report to the Legislature by the Commission on Uniform State Laws.

Robert E. Sullivan,
Dean, Montana School of Law,
Secretary to the Commission on
Uniform State Laws.

Motion was made by Cеровski that the above report be considered read in full and that the Journal so show. Motion carried.

January 5, 1959.

REPORT TO THE LEGISLATURE
BY THE COMMISSION ON UNIFORM STATE LAWS

The national conference of Commissioners on Uniform State Laws was organized in 1892, and since 1912 has been comprised of official representatives from all states and territories. Its purpose is to promote uniformity in state laws on all subjects where uniformity is desirable and practicable, and to promote uniformity of judicial decisions. Adoption in many jurisdictions of uniform laws drafted by the conference has done much to alleviate the difficulties arising from conflicts of laws and to facilitate enforcement of state laws across state lines. But the need for uniformity in state laws is constantly increasing with the growth and acceleration of travel, communications, and commerce across the nation.

Laws promulgated and currently recommended by the conference, with the approval of the American Bar Association, include 54 uniform acts, 13 model acts (for use where there is demand for legislation in a substantial number of states but where uniformity is not necessary or desirable), and 28 acts for use only in states having need for legislation in the particular field, or a total of 95. The conference also currently

endorses 10 acts promulgated by other organizations. Montana has adopted 17 of the uniform acts (but has not adopted amendments recommended by the conference as to two of these); one model act, and one act recommended only where need exists, or a total of 19. Montana has also adopted three of the acts drafted by other organizations and endorsed by the conference. In comparison with adoptions by other states, Montana stands approximately half way down the list—but it is far behind most other western states. And Montana retains on its statute books eight additional uniform acts which have been superseded or declared obsolete by the conference.

Promulgation of laws and decisions on all other major matters are effected by vote of state commissioners in attendance at the annual meetings of the national conference. Hence no state can be effectively represented in the conference unless its commissioners attend those meetings; and under the conference by-laws a commissioner who fails to attend two consecutive meetings automatically forfeits representation. All commissioners serve without compensation. The conference suggests that each state reimburse its three commissioners for their expenses of travel to the annual meeting, and asks each state to contribute its share of the expense of the organization in an amount apportioned according to the state's population and financial ability. Montana has been apportioned a contribution of \$600 per year, which is the minimum requested of any state and compares with a high of \$2,750 asked of New York. To date, Montana has never contributed any funds to the national conference and has never reimbursed its commissioners for their travel expenses.

In view of the demonstrated value of the uniform laws, Montana should participate more actively in the work of the conference. To do so, three things are necessary: (1) Montana should pay its apportioned contribution of \$600 per year; (2) it should secure full representation for itself in the conference by appropriating funds to defray the travel expenses of its commissioners to attend annual meetings; and (3) it should enact the following legislation recommended by the national conference, which the commissioners for Montana, after thorough study, have concluded is feasible and necessary for adoption by Montana at this time.

Model State Administrative Procedure Act. The model state administrative procedure act is designed to simplify and unify procedures before administrative agencies and the judicial review thereof. It states basic principles of procedure for the agencies in the exercise of their legislative and judicial functions, and a simple, uniform method of review of agency decisions by the courts. It also assures proper publicity for agency rules affecting the public. Existing Montana statutes respecting administrative agencies are extremely inconsistent as to both the extent and the manner in which they specify these procedures, and lack of any centralized filing or system of publication of agency regulations makes it a practical impossibility for laymen subject to the regulations, or for their lawyers, to keep abreast of requirements affecting their duties, rights, or privileges. It is recommended that Montana adopt the model act, with some additions that have been found helpful in other jurisdictions, and amend existing Montana agency statutes to eliminate provisions inconsistent therewith.

Uniform Reciprocal Enforcement of Support Act. The uniform reciprocal enforcement of support act, to provide for enforcement across state lines of existing duties of support, was originally recommended by the conference in 1950. Montana adopted it in 1951, and it or a substantially similar act has been adopted in all other states and the District of Columbia. In 1952 the conference recommended amendments to clarify and facilitate operation of the original act; Montana has never enacted the 1952 changes. In 1958 the conference recommended further changes, including the addition of a new provision for registration and enforcement in one state of support orders of other states, and of a new provision for use of the machinery of the act where plaintiff and defendant reside in

different counties of the same state. It is recommended that Montana adopt the act as amended in 1958.

Uniform Facsimile Signatures of Public Officials Act. Adoption by Montana of the uniform facsimile signatures of public officials act will dispense with the necessity of state officials' traveling to New York City to sign bonds issued by the state or its agencies. The act permits the use of facsimile signatures and seals on public securities and instruments of payment issued by the state or any of its instrumentalities or political subdivisions. At least one manual signature is required on securities, and all signatures as to which facsimiles are authorized must first be registered with the secretary of state. Improper use of facsimiles is made a felony. It is recommended that Montana adopt this act.

Uniform Contribution Among Joint Tortfeasors Act. This act, as revised by the conference in 1955, establishes the right of a person liable for damages for an unintentional wrong to compel others, who are liable with him for the same damages, to share in discharging the common liability. A settlement made in good faith by one tortfeasor discharges him outright from all liability for contribution to any other tortfeasor; but it does not, unless its terms so provide, release the other tortfeasors from liability except that it reduces the claim against them to the extent of the amount covered by the settlement. Montana has no statutes covering this subject, and those of the other states vary widely. The problem is of particular importance in view of the growing incidence of automobile accidents involving several drivers. If generally adopted, this statute will eliminate the present confusion and provide a fair method of distributing responsibility. It is recommended that Montana adopt the act.

Appropriation for National Conference and Commissioners. As indicated above, Montana should pay its share of the expenses of the national conference of commissioners on uniform state laws, amounting to \$600 for each of the next two fiscal years; and it should defray the travel expenses of the commissioners for Montana in order that this state may participate in the annual meetings of the national conference. It is accordingly recommended that appropriations for these purposes be made for the fiscal years 1959-60 and 1960-61.

Respectfully submitted,
Commission on Uniform State Laws,
By ROBERT E. SULLIVAN,
Secretary

Montana Commissioners:
Chief Justice James T. Harrison
Alex Blewett, Jr., Esquire
Dean Robert E. Sullivan

The Speaker referred the above report of the commission on uniform state laws to the Committee on Judiciary for future action.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Conservation and Development, having had under consideration House Bill No. 36, respectfully report as follows: That House Bill No. 36 do pass.

BARNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Conservation and Development, having had under consideration House Bill No. 37, respectfully report as follows: That House Bill No. 37 do pass.

BARNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Conservation and Development, having had under consideration House Bill No. 38, respectfully report as follows: That House Bill No. 38 do pass.

BARNES, Chairman.

Report adopted.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Memorial No. 1, introduced by Wood, Loughran, Sheehy, Cerovski, Bentz, Gunderson, Lees: A joint memorial of the House of Representatives and Senate of the State of Montana to the Congress of the United States; the Honorable James E. Murray and the Honorable Mike Mansfield, Senators from the State of Montana; the Honorable Lee Metcalf and the Honorable LeRoy Anderson, Representatives from the State of Montana; and to the Committees on Interstate and Foreign Commerce of the House of Representatives and the Senate of the United States, urging such remedial action, through Congress' authority over the Federal Communications Commission, as will insure continued operation of the free television stations in Montana; prohibiting microwave signals to feed cable systems from outside the State of Montana, and to insure the continued operation of low power V.H.F. booster stations, to the end that the people of Montana shall not be denied the advantageous services of a Montana system of free television broadcasting. Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 62, introduced by Healy, Powers, Loughran, Picard, Mernin, Wayrynen, McNally, Glancy, Sheehy, Holding, Shea: A bill for an act entitled: "An act to enable counties to acquire, operate, lease or contract for the operation of motor buses and bus lines for the transportation of passengers, providing for borrowing money or issuing bonds for the purchase of the same and providing for a vote of taxpayers thereon and enabling counties to also contract with independent carriers for such transportation services and enabling counties to also enter into a lease or a lease and operating agreement with independent carriers for such transportation services and authorizing the Board of County Commissioners of any county to levy a tax on all taxable property within the limits of such counties to defray the costs thereof; and limiting the expenditure of all funds derived from such tax; providing a saving clause; and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Townships and Counties.

House Bill No. 63, introduced by Military Affairs Committee: A bill for an act entitled: "An act to amend section 3, chapter 44, laws of 1957, relating to the payment of the Korean war veterans' honorarium or adjusted compensation to the widows, or orphans, or parents, as the case may be, whose husbands, or fathers, or sons have died prior to the payment of the honorarium or adjusted compensation provided by chapter 44, laws of 1957, providing that such payment shall be in the amount specified in section 2, chapter 44, laws of 1957, providing that nothing in this act shall be deemed to amend, or in any way alter the provisions of sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, or 13 of chapter 44, laws of 1957, repealing all acts and parts of acts in conflict herewith, and providing an effective date hereof." Referred to Committee on Military Affairs.

House Bill No. 64, introduced by McGarvey, Parker: A bill for an act entitled: "An act to amend section 48-133 of the Revised Codes of Montana, 1947, by taking out the reference to declaration of marriage." Referred to Committee on Judiciary.

House Bill No. 65, introduced by Felt, Anderson, Battin, Hanks, Cavan,

Fjare, Howard, Haines (Missoula), Paulsen, Babcock, Elting, Morrison, Kiff, Powell: A bill for an act entitled: "An act to amend section 84-1501, Revised Codes of Montana, 1947, relating to corporation license tax; providing for a separation of that section into two sections, eliminating the exemption of certain cooperative organizations from such tax and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 66, introduced by McGarvey, Holding, Schwinden, Page (Missoula), Haines (Missoula), Sheldon (Flathead), Page (Granite): A bill for an act entitled: "An act to provide that it shall be unlawful for any owner or owners of any motor vehicle to knowingly permit a juvenile to drive said motor vehicle, after said juvenile has had his driver's license either revoked or suspended; to provide for a penalty; to provide for a repealing provision." Referred to Committee on Judiciary.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 7 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Gunderson, Haines (Missoula), Hanks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Sheldon (Lincoln), Sheldon (Flathead), Strnisha, Walton, Wayrynen, Wood, Mr. Speaker. Total 76.

Noes: Angstman, Sales, Wright. Total 3.

Absent: None.

Excused: Glancy, Gleed, Haines (Prairie), Harball, Hawks, Nees, Nelstead, Page (Granite), Woodring. Total 9.

Not voting: Anderson, Felt, Lees, McGarvey, Tonner, Wold. Total 6.

House Bill No. 9 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gunderson, Haines (Missoula), Hanks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood Mr. Speaker. Total 78.

Noes: Angstman, Sales, Wright. Total 3.

Absent: None.

Excused: Glancy, Gleed, Haines (Prairie), Harball, Hawks, Nees, Nelstead, Page (Granite), Woodring. Total 9.

Not voting: Anderson, Jensen, Lees, Wold. Total 4.

House Bill No. 23 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cеровski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gunderson, Haines (Missoula), Hanks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wright, Mr. Speaker. Total 81.

Noes: None.

Absent: None.

Excused: Glancy, Gleed, Haines (Prairie), Harball, Hawks, Nees, Nelstead, Page (Granite), Woodring. Total 9.

Not voting: Anderson, Jensen, Lees, Wold. Total 4.

Motion was made by Cеровski that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 14, 26 and 28, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 4, respectfully report as follows: That House Bill No. 4 be amended as follows:

Amend the title in line 5 of page 1 of the original bill after the “,” following the figures “48-132” by deleting the following figures “48-133”;

In line 9 of page 1 of the original bill, being line 1 of page 1 of the printed bill, amend by deleting the following words and figures “through 48-133,” and inserting in lieu thereof the following words and figures: “48-131, 48-132 inclusive,”; and as so amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 8, respectfully report as follows: That House Bill No. 8 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 31, respectfully report as follows: That House Bill No. 31 be referred to the Committee on Appropriations.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 64, respectfully report as follows: That House Bill No. 64 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 25, respectfully report as follows: That House Bill No. 25 be referred to the Committee on Appropriations.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 34, respectfully report as follows: That House Bill No. 34 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 44, respectfully report as follows: That House Bill No. 44 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 45, respectfully report as follows: That House Bill No. 45 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 46, respectfully report as follows: That House Bill No. 46 be referred to the Committee on Judiciary.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 49, respectfully report as follows: That House Bill No. 49 do pass.

ESKILDSEN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Parker of Pondera that the Committee on Social Security be granted an extension in time of five days for consideration of House Bill No. 1. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Bill No. 67, introduced by Kvaalen, Shelden (Lincoln), Lees: A bill for an act entitled: "An act to amend section 26-104 of the Revised Codes of the State of Montana, 1947, relating to powers and duties of the State Fish and Game Commission, to provide for the hunting of big game by bow and arrow hunters; to amend section 26-202.1 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 100 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957,

relating to fish and game licenses, fees, classification of licenses, fees and powers under licenses, to provide for the issuance of licenses to bow and arrow hunters to hunt and possess big game; and to repeal all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 68, introduced by Walton, Reeder: A bill for an act entitled: "An act to amend section 26-907, Revised Codes of Montana, 1947, relating to taxidermists' license, fee, and penalty for violation of the act." Referred to Committee on Fish and Game.

House Bill No. 69, introduced by McNally, Powers: A bill for an act entitled: "An act to amend section 11-731, of the Revised Codes of Montana, 1947, as amended by section 5, chapter 76, Session Laws of 1953, relating to the salary of the city or town clerk; repealing all acts or parts of acts in conflict herewith; and, providing for an effective date of act." Referred to Committee on Affairs of Cities.

House Bill No. 70, introduced by Anderson, Battin, Angstman, McGarvey, Morrison, Daniels, Gerard, Bradford: A bill for an act entitled: "An act to provide for the disqualification of district judges in criminal actions or proceedings; prescribing the grounds and procedure for disqualification; providing for assumption of jurisdiction by other district judges in event of disqualification; providing for an effective date and repealing all other acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 71, introduced by McGarvey, Sheehy, Tonner, Bradford, Curry, Anderson, Lees, Daniels: A bill for an act entitled: "An act to amend sections 10-611 and 10-633, Revised Codes of Montana, 1947, relating to hearings had in juvenile courts; providing for the admission of the general public and publicity in certain cases; repealing all acts or parts of acts in conflict herewith, and providing for an effective date of this act." Referred to Committee on Judiciary.

House Bill No. 72, introduced by Abel, Langston, Barrett, Daniels: A bill for an act entitled: "An act to compel anyone who reproduces or circulates any Senate or House bill introduced or considered by the Senate or House to properly identify himself by using a credit line on said reproduction, to provide that said reproduced bill shall be printed totally in a color of ink other than black or blue, to provide that the type of the title shall not compare in type, face or size to the type of the title of the original bill, to provide that the credit line shall contain the full name and identity of the person, persons, corporation, partnership or other legal entity reproducing or circulating said copy, to provide that the credit line shall appear on the first page of the reproduction and that the credit line shall be the same size and type as the title, providing for a penalty and a repealing clause." Referred to Committee on Printing.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Saturday, January 17, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

THIRTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 17, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Angstman, Babcock, Battin, Broeder, Curry, Glancy, Gleed, Haines (Prairie), Harball, Hawks, Holecek, Howard, Jensen, Loman, Morrison, Nees, Page (Granite), Raundal, Reeder, Regan, Sales, Sheehy, Sheldon (Flathead), Woodring, who were excused, and Corcoran, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twelfth Legislative Day, find the same to be correct.

ESKILDTSEN, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 13, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 60, respectfully report as follows: That House Bill No. 60 do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 50, respectfully report as follows: That House Bill No. 50 do pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 53, respectfully report as follows: That House Bill No. 53 do pass.

PARKER, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Bill No. 73, introduced by Morrison, Elting, Leuthold, Barrett: A bill for an act entitled: "An act to amend section 10-605, Revised Codes of Montana, 1947, relating to the information—investigation—petition of the juvenile courts, to provide for a change in the title of the court petition; and containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 74, introduced by Morrison, Elting, Leuthold, Barrett: A bill for an act entitled: "An act to amend section 10-622 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 27 of the Montana Session Laws of 1951, as amended by section 1, chapter 112 of the Montana Session Laws of 1953, as amended by section 1, chapter 36 of the Montana Session Laws of 1955, as amended by section 1, chapter 177 of the Montana Session Laws of 1957, relating to probation officers, their appointments, removal and salary to provide for qualified persons and containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 75, introduced by Morrison, Elting, Leuthold, Barrett: A bill for an act entitled: "An act to amend section 10-617, Revised Codes

of Montana, 1947, relating to the penalty for improper and negligent training of children, to provide clarification; and containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 76, introduced by Elting, Morrison, Leuthold, Barrett: A bill for an act entitled: "An act to re-establish the Child Welfare Advisory Committee of the State of Montana as provided in chapter 158 of the laws of the Thirty-fifth Legislative Assembly of the State of Montana, 1957, providing for the appointment of such committee by the Governor of the State of Montana; providing for the duties of such committee, its composition and period of existence; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 77, introduced by Kvaalen, Anderson, Morrison, Barrett, Haines (Missoula): A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to section 7 of article XI of the Constitution of the State of Montana, providing that the date or dates upon which a child in his sixth year may commence his schooling may be determined by law." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 78, introduced by Strnisha, Babcock, Morrison, Glead: A bill for an act entitled: "An act to promote and protect the public health through the regulation of the business of plumbing; creating a state plumbing board and empowering said board and State Board of Health to adopt a state plumbing code covering the practice of plumbing and establishing minimum standards for plumbing work; providing concurrent authority for cities and towns; fixing penalties; providing for an effective date of said plumbing code, and providing for a repealing clause." Referred to Committee on State Boards and Institutions.

House Bill No. 79, introduced by Tonner, Wood: A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to section 2 of article IX of the Constitution of the State of Montana, relating to residence and other requirements of eligible voters and electors, to provide that citizens of the United States may vote for presidential and vice presidential electors upon sixty days' residence in Montana prior to presidential election." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 80, introduced by Leuthold: A bill for an act entitled: "A bill for an act amending sections 23-1301, 23-1302, 23-1303, 23-1306, 23-1307, 23-1312 and 23-1320 of the Revised Codes of Montana, 1947, as amended, relating to voting by absent electors, to provide that absentee voters may make application for absentee ballot, if for any reason, he expects to be absent from his voting precinct poll; to provide that the application must be sworn to by some officer authorized to administer oaths pursuant to the laws of the place of execution; to change the form of the application for absentee ballot, to provide that the applicant must swear that he expects to be absent from his voting precinct poll; to prescribe duty of electors if present at voting precinct poll on election day." Referred to Committee on Privileges and Elections.

House Bill No. 81, introduced by Page (Missoula), Emmons, Haines (Missoula), Lees, Holding, Karlberg, Picard, McNally: A bill for an act entitled: "An act to create and establish the position of governor's financial advisor; to provide for the appointment; fix the compensation, term of office; define his duties; provide for his working between other state offices; to provide for his right to subpoena in certain instances; providing a repealing clause and providing an effective date." Referred to Committee on State Boards and Institutions.

House Bill No. 82, introduced by MacDonald: A bill for an act entitled: "An act to amend section 16-1030 of the Revised Codes of Montana of

1947 relating to the lease of county property; and containing a repealing clause." Referred to Committee on Townships and Counties.

House Bill No. 83, introduced by Barnard: A bill for an act entitled: "An act to regulate and control lobbying in the State Legislature and during sessions thereof; providing for licensing and registration of lobbyists; providing for reports and accounts by lobbyists; providing penalties and enforcement; providing an effective date; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

MOTIONS AND RESOLUTIONS

Motion was made by Karlberg that the Committee on Privileges and Elections be granted an extension in time of five days for consideration of House Bill No. 22. Motion carried.

Motion was made by Clowes that the Committee on Affairs of Cities be granted an extension in time of five days for consideration of House Bill No. 41. Motion carried.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 49, 45, 36, 34 and 64, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that the House adjourn until 11:00 a.m., Monday, January 19, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FIFTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 19, 1959

House convened at 11:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Cavan, Gill, Haines (Prairie), Harball, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Sheehy, Woodring, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirteenth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

January 17, 1959.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 38, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 19, respectfully report as follows: That House Bill No. 19 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 39, respectfully report as follows: That House Bill No. 39 do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 55, respectfully report as follows: That House Bill No. 55 do pass.

BARNARD, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Wood that House Bill No. 60 be taken from the Committee on Printing and referred to the Committee on Highways and Highway Transportation. Motion carried.

Motion was made by Barrett that the Committee on Education be granted an extension in time of one week for consideration of House Bill No. 18. Motion granted.

Motion was made by Barrett that House Bill No. 53 be taken from the Committee on Printing and referred to the Committee on Education. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times and referred to committees:

House Bill No. 84, introduced by Emmons, Wayrynen, McGarvey, Holding, Daniels, Tonner: A bill for an act entitled: "An act providing for the creation of an air pollution control council; providing definitions; providing for the appointment of council members; providing powers and duties of the council; providing the State Board of Health to administer this act under the supervision of the council; prohibiting the discharge of air contaminants and describing such contaminants; providing for hearings, issuance of permits and authorizing variances from the standards of this act; providing for the suspension or revocation of permits and the revocation or modification of any variance; providing for the issuance of rules, regulations and orders of the council; providing subpoena power and contempt of the council; authorizing the entry into premises to enforce this act or the rules, regulations or orders of the council; providing for appeals to the District Court and Supreme Court; prescribing penalties for the violation of this act or any rule, regulation or order of the council; providing for injunctive proceedings; and containing a severability clause." Referred to the Committee on Public Health, Morals and Safety.

House Joint Memorial No. 2, introduced by Wold, Sheehy, Lees, Felt, Cavan, Hawks, Anderson, Broeder, Babcock, Tonner: A joint memorial of the Senate and House of Representatives of the State of Montana to the President of the United States, Dwight D. Eisenhower; Senator James E. Murray, of Montana; Senator Mike Mansfield, of Montana; Congressman

Lee Metcalf, of Montana; Congressman LeRoy Anderson, of Montana; the Committee on Appropriations of the United States Senate; the Committee on Appropriations of the United States House of Representatives; the Committee on Interior and Insular Affairs of the United States Senate; the Committee on Interior and Insular Affairs of the United States House of Representatives; the Committee on Public Works of the United States House of Representatives; the Secretary of the Interior, Fredrick B. Seaton; the Commissioner of the Bureau of Reclamation, Wilbur A. Drexheimer; the Secretary of the Army, Wilbur M. Brucker; the Director of the Budget, Maurice H. Stans; requesting the introduction and enactment into law of the necessary and proper legislation to authorize and provide funds to start the construction on Yellowtail Dam on the Big Horn River in the State of Montana for 1959. Referred to the Committee on Constitutional Amendments and Federal Relations.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the following rules: Each speaker upon a motion be limited to five minutes; no member to speak more than once, except the maker of the motion who will be allowed an additional five minutes. Motion carried.

Wood of Chouteau in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 4 do pass.

That House Bill No. 64 do pass.

That consideration of House Bill No. 13 be passed for the day.

That House Bill No. 14 be amended in the title by striking out the last words thereof, namely "by providing for effective date of act.";

And be further amended by striking out section 3 in its entirety;

And as amended, do pass.

That House Bill No. 26 do pass.

That House Bill No. 28 be amended in the title thereof by inserting in line 8 of the original bill, after the word "code," the words "and providing an effective date.";

And as amended, do pass.

That House Bill No. 34 do pass.

That House Bill No. 36 do pass.

That House Bill No. 45 do pass.

That House Bill No. 49 do pass.

WOOD, Chairman.

Motion was made by Wood that the committee report be adopted.

A substitute motion was made by Haines (Missoula) that House Bill No. 34 be segregated from the committee report for further consideration on General Orders. Substitute motion carried.

Motion was made by Wood that the Committee of the Whole report be adopted, as amended. Motion carried.

Report adopted, as amended.

MOTIONS AND RESOLUTIONS

It was moved by Glead that the Speaker be authorized to send proper condolences to the Harball family, on the death of Representative Harball's mother. Motion carried.

The Speaker announced the following changes in committee memberships: Sheehy to be removed from the Committee on Intergovernmental Cooperation, and replaced by Emmons;

Emmons to be removed from the Committee on Banking and Insurance, and replaced by Sheehy.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 69, respectfully report as follows: That House Bill No. 69 do pass.

CLOWES, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 85, introduced by Sheehy, Haines (Missoula), Holding, Strnisha, Sales: A bill for an act entitled: "An act to amend section 41-801 (f), Revised Codes of Montana, 1947, defining vocational rehabilitation and vocational rehabilitation services by inserting therein the words 'in so far as possible'; and to amend section 41-805 and section 41-806, Revised Codes of Montana, 1947, by deleting therefrom the word 'vocational'; containing a repealing clause and effective date." Referred to Committee on State Boards and Institutions.

House Bill No. 86, introduced by Wood, Tonner, Barnard: A bill for an act entitled: "An act to amend section 94-7815 of the Revised Codes of Montana, 1947, relating to duration of imprisonment on judgment to pay a fine to provide the extent of imprisonment must not exceed one day for every eight (8) dollars of the fine and costs." Referred to Committee on Judiciary.

House Bill No. 87, introduced by Holtz, Sheldon (Flathead), Gunderson: A bill for an act entitled: "An act to amend sections 16-1706, 16-1708 and 16-1713 of the Revised Codes of Montana, 1947, relating to noxious weed control, to provide for encompassing state institutional and custodial lands within the purview of the weed control law; to provide that the Commissioner of Agriculture shall by proclamation, declare an embargo against the importation, shipment or transportation of grain, plants, hay, straw, screenings, seed, tubers, nursery stock, fruit and including all lawn, flower,

garden and vegetable seeds and peat moss into the State of Montana when the Commissioner of Agriculture has good reason to believe they contain noxious weed seed; to provide that the Commissioner of Agriculture can levy an inspection fee not to exceed three dollars (\$3.00) on all machinery and equipment capable of transporting weed seeds into the State of Montana and that such monies shall be placed in a separate fund which is to be used by the Commissioner of Agriculture to defray a portion of the expenses hereunder; to provide that the Commissioner of Agriculture shall be responsible for erecting and maintaining appropriate signs along all highways at the state line bearing the substance of this law; to provide that the board of weed control and weed extermination supervisors shall receive per diem at the prevailing rate for employees within the county; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Agriculture, Dairying and Horticulture.

House Bill No. 88, introduced by Holtz, Eskildsen, Gunderson, Sheldon (Flathead), Barnes, Holecek: A bill for an act entitled: "An act to provide for the seeding of perennial grass covers on newly disturbed right-of-way areas, including state and federal highways, county roadways, irrigation ditches, drain ditches, borrow pits, slopes, road shoulders or other types of construction; and providing a repealing clause." Referred to Committee on Highways and Highway Transportation.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Tuesday, January 20, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

SIXTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 20, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Hawks, Page (Granite), and Woodring who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifteenth Legislative Day, find the same to be correct.

ESKILDSEN, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 19, 37 and 50, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 4, 14, 26, 28, 36, 45, 49 and 64.

PARKER, Chairman.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your select committee appointed to investigate construction costs of the Governor's mansion, under motion of the Majority Floor Leader on January 8, 1959, report as follows:

We, your select committee appointed to investigate construction costs of the Governor's mansion, under motion of the Majority Floor Leader on January 8, 1959, report as follows:

We have interviewed witnesses, studied a certified copy of all minute entries in the minutes of the Board of Examiners pertaining to the Governor's mansion, beginning with the first entry in 1953 up to and including the minutes of January 8, 1959, and visited the building under investigation. We believe that from sworn testimony received and study made, certain valid conclusions can be drawn.

Your committee first wishes to point out that from the very first, there should have been complete understanding by the Board of Examiners that the amount of money authorized for the Governor's mansion was to cover the cost of the site, constructing and furnishing quarters for the Governor of the State of Montana, as set forth in chapter 77, section 1 and 2, Session Laws of 1953. The facts were specifically mentioned in Board of Examiners' minutes at different times during discussions pertaining to the Governor's quarters.

The initial authorization for this purpose was made in 1953 by the 33rd Legislative Assembly in the sum of \$125,000.00.

By the 1955 session, the Board of Examiners reported that in their opinion \$125,000 was not sufficient to construct and furnish a building they considered ample for use as a Governor's quarters. Accordingly, they requested another \$50,000 in 1955, which the 34th Legislative Assembly granted with the same provision as in the original authorization that said fund would completely construct and furnish the Governor's quarters.

A site was procured at the corner of Montana and 6th, but on intervention by the Helena Chamber of Commerce, was abandoned for the present site on Carson and Broadway, donated by Mr. C. F. Mueller.

The original site was then sold to the State of Montana and the Governor's quarter's fund was reimbursed. However, during this period of planning, selecting site and authorizing the architect to call for bids, it is apparent that the project got beyond the control of the Board of Examiners, with the result that on December 28, 1956, when the bids were called for and opened, the lowest bid was \$282,187.00 for the construction of the building, which by legislative decree, was to have been built and furnished for \$175,000.00. At this point the board should have realized that the plans of Mr. Cohagen, the architect, were far too elaborate and costly for the amount of money authorized for this construction, and should have taken decisive steps in forcing the architect to bring the proposed building back into a realistic range within intended authorization of funds.

In 1957 the Senate Finance and Claims Committee met with the Board of Examiners and urged speedy completion and furnishing of said building within amount authorized. Apparently new plans were drawn and approved and the Board of Examiners advertised for bids. Bids were opened on August 8, 1957. All bids were in excess of architect estimates, but by certain deletions in the low bid, the Board of Examiners apparently felt that they were within the money available and a contract was let. From the time the contract was let and to date, change orders totalling \$9,187.00 have been authorized by Board of Examiners. Included in these change orders were items deleted from the original bid.

Your committee would like to point out, that through the entire

transcript of minutes of the Board of Examiners submitted to us, that no dissenting votes are recorded, indicating that all decisions were unanimous.

Because of the delay in starting construction, the accumulated interest on the available money amounted to \$9,678.42. This amount in addition to the \$175,000 has been paid and the state has been obligated another \$16,850.49 by the Board of Examiners, making a total investment of \$201,528.91 in the Governor quarters to date.

Your committee wishes to point out the obligations of the state in the amount of \$16,850.49 beyond authorization by the Legislature, refutes the oft repeated and publicized statement from the executive department that only the Legislature is responsible for the expenditure of state monies.

Estimated figures handed to your committee by the Board of Examiners and by the interior decorator employed by the Board of Examiners call for an additional expenditure of over \$145,509 which together with the already obligated \$16,000 will bring the grand total up to over \$347,000.

The asphalt roof called for in the architect's plans, in an apparent attempt to cut costs without altering the basic design, has proven unsatisfactory and is blowing off. Your committee feels that Mr. Cohagen erred in recommending this type of roof. We recommend the roof be replaced with a roofing that will stand up under conditions in this area. We also recommend that the Board of Examiners negotiate with the insurance adjusters in this direction.

Your committee does not condone the action of the Board of Examiners in approving the grandiose plans of Architect Cohagen. Neither do we condone the actions of Mr. Cohagen, whose continuous failure to submit plans within available money has contributed to the delay and expense of the state. We recommend that Mr. Cohagen not be reappointed to the Architectural Board of Examiners.

The full responsibility of constructing and furnishing the mansion lies with the entire Board of Examiners. No satisfactory explanation as to why they have approved expenditures so far in excess of the amount intended by the Legislature has been offered this committee.

Conclusions:

Whereas, the Board of Examiners have started a project beyond the financial ability and the present need of the State of Montana, and

Whereas, the committee does not recommend completion of the building as a Governor's mansion at this time, and

Whereas, the state highway patrol are in critical need of expanded quarters, and

Whereas, the supervisor of the highway patrol has expressed willingness of the highway patrol to lease this building at a saving to the taxpayer of approximately \$800 per month, a price which they are now paying for inadequate quarters at their present location, and

Whereas, the highway patrol could occupy the building in its present state of construction with little additional expense, and

Whereas, this building would still be available at a future date for completion as a Governor's mansion,

Therefore, your committee recommends to this honorable body that said building be made available to the highway patrol and recommends authorization of funds to pay outstanding debts on said mansion as of this

date, and to landscape mansion grounds in less elaborate manner than has been presented by the Board of Examiners.

McOMBER, Chairman,
PARKER,
BARRETT,
RAUNDAL,
NICHOLS,
KOLAR.

Motion was made by McOmber that the committee report be adopted and that it be spread on the Journal in full. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Conservation, having had under consideration House Bill No. 52, respectfully report as follows: That House Bill No. 52 do pass.

McOMBER, Chairman.

Report adopted.

Motion was made by Haines (Missoula) that House Bill No. 34 be taken from General Orders and rereferred to the Committee on State Boards and Institutions. Motion carried.

It was moved by Walton that House Bill No. 13 be taken from General Orders and rereferred to the Committee on Townships and Counties. Motion carried.

It was moved by Cerovski that House Bill No. 44 be taken from the Committee on Printing and rereferred to the Committee on State Boards and Institutions.

It was moved by Parker that House Bill No. 50 be taken from the House and rereferred to the Committee on Social Security.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

House Bill No. 89, introduced by Lees, Strnisha, Regan, Anderson, Gleed: A bill for an act entitled: "An act relating to and regulating the retail installment selling and financing of goods, including motor vehicles and services; to define terms used herein; to require the licensing of sales finance companies; to vest the administration and enforcement of this act in the office of the State Superintendent of Banks; to prescribe the powers, duties, authority and jurisdiction of such superintendent of banks with respect to this act; to authorize the adoption and promulgation of rules and regulations; to prescribe and regulate the form and content of contracts covering the retail installment sale of goods and services; to regulate the inclusion of insurance in a retail installment sale; to limit the amount of the finance charge that can be made for such retail installment sales; to regulate delinquency charges and the refinancing of such retail installment sales; to require a partial refund of such charges on prepayment; to make certain acts unlawful and providing penalties for violations of this act." Referred to Committee on Banking and Insurance.

House Bill No. 90, introduced by Battin, Howard, Clowes, Haines (Missoula), Karlberg, Lees, Nelstead, Shea, Picard, Bradford, Healy: A bill for an act entitled: "An act providing for a section to be known as section 11-2710 and authorizing county commissioners to exercise building and zoning regulatory powers; containing a repealing clause." Referred to Committee on Townships and Counties.

House Bill No. 91, introduced by Battin, Bradford, Howard, Haines (Missoula), Picard, Nelstead, Clowes, Karlberg, Lees, Shea, Healy: A bill for an act entitled: "An act to amend section 11-3804, Revised Codes of Montana, 1947, relating to the membership of city planning boards by requiring the citizen members appointed by the mayor to be resident freeholders; and to amend section 11-3812, Revised Codes of Montana, 1947, relating to the qualifications of city-county board members by providing the members shall be resident freeholders; and to amend section 11-3830, Revised Codes of Montana, 1947, relating to the adoption of a master plan for a city and unincorporated areas by providing for approval by the county commissioners and settling of boundary areas between planning boards; and to amend section 11-3842, Revised Codes of Montana, 1947, relating to the filing of subdivision plats by requiring the plat comply with the master plan and approval be endorsed on the plat before filing; and to amend section 11-3852, Revised Codes of Montana, 1947, relating to city powers regarding building and zoning regulations by authorizing boards of county commissioners to exercise such powers; and to amend section 11-3853, Revised Codes of Montana, 1947, relating to the recovery and use of resources by including agricultural resources; and to amend section 11-3854, Revised Codes of Montana, 1947, relating to the planning board exercising powers conferred on cities by sections 11-2701 through 11-2710 by authorizing the planning board to exercise the same powers conferred on boards of county commissioners; repealing sections 11-3809, 11-3841, 11-3849 and 11-3850, Revised Codes of Montana, 1947, and all acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 92, introduced by Elting, Holtz, Morrison, Wold, Emmons, Regan, Higham, Reinecke, Glead: A bill for an act entitled: "An act to amend section 80-209, Revised Codes of Montana, 1947, relating to medical assistants and examining physicians; providing for the admission of patients to the Montana Tuberculosis Sanitarium by providing that any person may be admitted who is suffering from tuberculosis or miner's consumption; providing transportation, care and maintenance at the expense of the state; providing for a determination of financial responsibility after the patient is admitted to the sanitarium; repealing sections 80-210 to 80-213, inclusive, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith; and providing for an effective date of this act." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 93, introduced by Elting, Holtz, Morrison, Wold, Emmons, Regan, Higham, Reinecke, Glead: A bill for an act entitled: "An act to protect the citizens of Montana from persons having tuberculosis in a communicable state; defining the terms 'facility' and 'tuberculosis'; providing for promulgation of rules and regulations by the State Board of Health; allowing any board of health to apply to state District Court for order of commitment to a facility; specifying the procedure therefor; providing for commitment of persons found to have tuberculosis in a communicable state; permitting patient to apply to District Court for release from facility; providing for release when confinement of such person is no longer required; establishing fees and providing for payment of expenses by the county; requiring State Board of Examiners and counties to provide and maintain facilities; and providing for an effective date." Referred to Committee on Public Health, Morals and Safety.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 4 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, McNally, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 83.

Noes: Angstman, Elting, Haines (Prairie), Jensen, Sales. Total 5.

Absent: None.

Excused: Hawks, Page (Granite), Woodring. Total 3.

Not voting: Barnard, Sheehy, Wayrynen. Total 3.

House Bill No. 14 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Emmons, Fladager, Gerard, Gilfeather, Gill, Glancy, Haines (Missoula), Hanks, Harball, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Nees, Page (Missoula), Parker, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Mr. Speaker. Total 63.

Noes: Bashor, Battin, Devier, DeWolfe, Elting, Felt, Fjare, Gleed, Gunderson, Haines (Prairie), Healy, Jardine, Kiff, Kolar, Kvaalen, McGaffick, Morrison, Moudree, Nelstead, Paulsen, Powell, Sales, Wayrynen, Wright. Total 24.

Absent: None.

Excused: Hawks, Page (Granite), Woodring. Total 3.

Not voting: Barnard, Eskildsen, Nichols, Sheehy. Total 4.

House Bill No. 26 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent: None.

Excused: Hawks, Page (Granite), Woodring. Total 3.

Not voting: Nichols. Total 1.

House Bill No. 28 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent: None.

Excused: Hawks, Page (Granite), Woodring. Total 3.

Not voting: Nichols. Total 1.

House Bill No. 36 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent: None.

Excused: Hawks, Page (Granite), Woodring. Total 3.

Not voting: Nichols, Page (Missoula). Total 2.

House Bill No. 45 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent: None.

Excused: Hawks, Page (Granite), Woodring. Total 3.

Not voting: Nichols. Total 1.

House Bill No. 49 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent: None.

Excused: Hawks, Page (Granite), Woodring. Total 3.

Not voting: Nichols. Total 1.

House Bill No. 64 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 83.

Noes: Angstman, Elting, Haines (Prairie), Jensen, McGaffick, Sales. Total 6.

Absent: None.

Excused: Hawks, Page (Granite), Woodring. Total 3.

Not voting: Daniels, Nichols. Total 2.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 39 and 55, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Holtz of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 38 do pass.

HOLTZ, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 63, respectfully report as follows: That House Bill No. 63 do pass.

ABEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Memorial No. 1, respectfully report as follows: That House Memorial No. 1 do not pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Joint Memorial No. 1, respectfully report as follows: That House Joint Memorial No. 1 be amended by striking out on line 19, page 2 of the original bill "the free television station at Kalispell closed and now is operated by the cable company;" and as amended, do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 10, respectfully report as follows: That House Bill No. 10 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 58, respectfully report as follows: That House Bill No. 58 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 70, respectfully report as follows: That House Bill No. 70 be amended as follows:

By amending the title in line 8 and line 9 of page 1 of the original bill by deleting the following words: "providing for an effective date";

In lines 28 and 29 of page 2 of the original bill, by striking section 2 in its entirety; and

In line 30 of page 2 of the original bill by renumbering "section 3" to read "section 2";

And as so amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 22, respectfully report as follows: That House Bill No. 22 be amended as follows:

By inserting on line 13 of page 1 of the title of the original bill, after the word "ballots;" the words "providing for an effective date;" and

By adding on line 15, page 3 of the original bill the following paragraph: "Section 3. That this act shall be in full force and effect from and after its passage and approval."

And as so amended, do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 61, respectfully report as follows: That House Bill No. 61 do not pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 80, respectfully report as follows: That House Bill No. 80 be referred to the Judiciary Committee.

KARLBERG, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Jardine that House Bill No. 29 be taken from the Committee on Banking and Insurance and referred to the Committee on Ways and Means. Motion lost.

Motion was made by Cerovski that the House reconsider its action of this morning in taking House Bill No. 44 from the Printing Committee and rereferring it to the Committee on State Boards and Institutions. Motion carried.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 44, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that House Bill No. 44 be taken from the House and rereferring to the Committee on State Boards and Institutions. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Bill No. 94, introduced by Haines (Missoula), Howard, Morrison: A bill for an act entitled: "An act to amend section 75-5003, Revised Codes of Montana, 1947, as amended by Chapter 206, laws of 1955, relating to the establishment of special education programs by local boards of trustees, the providing of transportation services for physically handicapped children, the determination of children requiring special education, the responsibility of the State Superintendent of Public Instruction, and reimbursement by the state for special programs; to provide for transportation services from home to school and return for all handicapped children enrolled in a state-approved special education program; to reimburse state-approved special education classes for educable mentally handicapped children on the basis of counting each pupil as three in average number belonging; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 95, introduced by Mernin: A bill for an act entitled: "An act to legalize, license and regulate certain kinds of gambling games, and slot machines; providing a license fee for the operation of such games and slot machines and fixing the amount and disposal of such fees; defining the powers and duties of the State Board of Equalization of the State of Montana, and the treasurer and sheriff of the counties of the State of Montana in the administration and enforcement of this act and in the suspension or revocation of such licenses; providing for hearing before suspension or revocation; prohibiting persons under the age of twenty-one years from playing at, loitering about such games or slot machines or frequenting premises where the same are conducted or operated; authorizing counties and cities to levy and collect a license tax in addition to the state license tax herein provided for; providing penalties for the violation of the provisions of this act; providing for local option by counties in relation to the adoption of this act; repealing section 11159, Revised Codes of Montana, 1935, as amended by chapter 153, laws of 1937, repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 96, introduced by Paulsen, Anderson: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and providing that this act may be cited as 'the 1959 bond validating act'." Referred to Committee on Judiciary.

House Bill No. 97, introduced by Lees, Wayrynen, Healy, Babcock, Morrison: A bill for an act entitled: "An act to amend sections 4-102 and 4-170 of the Revised Codes of Montana, 1947, relating to definitions and unlawful to canvass for orders for sale or purchase of liquor—advertising liquor or beer, when prohibited—exceptions, by providing that neither the provisions of subdivision (s) of section 4-102 nor the provisions of subdivision (l) of section 4-170 be construed to prevent activities designed to promote the sale by retail liquor licensees of particular brands or varieties of liquor, spirits or wines; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Liquor Control.

House Bill No. 98, introduced by Sheldon (Flathead), Harball, Tonner, Holding (by request): A bill for an act entitled: "An act relating to certain duties of county officers in counties where they have county auditors; to amend section 16-3208 to include this additional duty; to amend section 16-2917 of the Revised Codes of Montana, 1947; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 99, introduced by Shelden (Lincoln), Tonner, Clowes, Battin, Haines (Missoula), McGaffick: A bill for an act entitled: "An act to amend section 59-538 of replacement volume 4 of the Revised Codes of Montana, 1947, as amended, relating to expenses of persons in state service and providing for an effective date." Referred to Committee on State Boards and Institutions.

House Bill No. 100, introduced by Clowes, Tonner, Shelden (Lincoln), Battin, Haines (Missoula), McGaffick: A bill for an act entitled: "An act to amend section 43-310, Revised Codes of Montana, 1947, as amended by chapter 45, Laws of Montana, 1909, and chapter 23, Laws of Montana, 1955; relating to mileage expenses to be paid to members of the Legislative Assembly; and providing for the repeal of all acts or parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions.

House Bill No. 101, introduced by Clowes, Shelden (Lincoln), Tonner, Battin, Haines (Missoula), McGaffick: A bill for an act entitled: "An act

to amend sections 59-801 and 59-802 of the Revised Codes of Montana, 1947, as amended by chapter 93 of the Laws of Montana, 1949; and as amended by chapter 124 of the Laws of Montana, 1951; by providing the mileage to be allowed to members of the Legislative Assembly, state officers, township officers, jurors, witnesses, county agents, and all other persons, except sheriffs, who may be entitled to mileage." Referred to Committee on Townships and Counties.

House Joint Resolution No. 2, introduced by MacDonald, Cerovski: A joint resolution of the House of Representatives and Senate of the State of Montana authorizing the employment of a tax consultant by the 36th Legislative Assembly of the State of Montana. Referred to Committee on Ways and Means.

House Joint Memorial No. 3, introduced by Shelden (Lincoln), Jensen, Holding, Gill, Broeder, Harball, Tonner: A joint memorial of the Senate and House of Representatives of the State of Montana to the President of the United States, Dwight D. Eisenhower; the Congress of the United States; James E. Murray and Mike Mansfield, Senators from the State of Montana; Lee Metcalf and LeRoy Anderson, Representatives in Congress from the State of Montana; the Committee on Public Works of the United States Senate; the Committee on Public Works of the United States House of Representatives; the Committee on Appropriations of the United States Senate; the Committee on Appropriations of the United States House of Representatives; the Secretary of the Army, Wilber M. Brucker; the Chief of the Corps of Engineers, Department of the Army, Major General E. C. Itschner; and the Director of the Budget, Maurice H. Stans; urging construction of Libby Dam in two stages, with work beginning on the initial stage as soon as possible in order to protect the national interest in water and water resources rising in the United States, and requesting sufficient appropriations so that detailed planning and design work can begin immediately. Referred to Committee on Constitutional Amendments and Federal Relations.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 29, respectfully report as follows: That House Bill No. 29 do pass.

REGAN, Chairman.

Report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Wednesday, January 21, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

SEVENTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 21, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel, Haines (Missoula), Jardine, Lees, Wright, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Sixteenth Legislative Day, find the same to be correct.
NEES, Vice-Chairman.

January 20, 1959.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 38.

PARKER, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 52 and 69, beg leave to report that the same have this date been returned from the printer correctly printed.

DEVIER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 11, respectively report as follows: That House Bill No. 11 be amended as follows:

Amend sub-section 9, line 8, page 3 of the original bill by inserting the comma and word "attendance," following the word "enrollment" and

Further amend on page 3, section 8, line 28 of the original bill by inserting the following sentence after the word "expenditure.": "All counties of the State of Montana shall be allowed to expend an amount of money not to exceed ninety dollars (\$90.00) for the board and room of the officers attending the academy."; and as amended, do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 31, respectfully report as follows: That House Bill No. 31 do pass.

McOMBER, Vice-Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the Speaker appoint a Necrology Committee consisting of four members to memorialize those former members of the House who have passed away since the last session, and that the committee report by the Fifty-eighth Legislative Day. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times and referred to committees:

House Bill No. 102, introduced by Fladager, Emmons, Healy, Battin, Anderson, Gilfeather: A bill for an act entitled: "An act to amend chapter 75 of the Session Laws of the Thirty-fourth Legislative Assembly of the State of Montana, 1955, relating to salary and expenses of stenographer; providing for furnishing transcripts and bills of exceptions to county without cost; providing manner in which salary shall be paid and fixing basis for apportionment of salary between or among counties comprising the judicial district for which said stenographer has been appointed; and re-

pealing all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 103, introduced by Battin, Clowes, Picard, Healy, Sheehy, Sales: A bill for an act entitled: "An act to amend section 32-2131, Revised Codes of Montana, 1947; relating to the jurisdiction of municipalities over violations occurring within the limits of municipalities; allowing the municipalities to adopt as ordinances all acts not in conflict with state law; repealing all acts in conflict herewith and providing that this act be effective from and after its passage and approval." Referred to Committee on Affairs of Cities.

House Bill No. 104, introduced by Battin, Clowes, Healy, Sales, Sheehy: A bill for an act entitled: "An act to amend section 11-1603, Revised Codes of Montana, 1947, relating to jurisdiction of police courts for violation of ordinances and civil and criminal jurisdiction; and allowing peace officers directed by the court to serve warrants of arrest, make arrests, serve subpoenas and compel witnesses to answer subpoenas anywhere in the county where the court is located; repealing all acts in conflict herewith and providing that this act be effective from and after its passage and approval." Referred to Committee on Judiciary.

House Bill No. 105, introduced by Fladager, Woodring: A bill for an act entitled: "An act providing that the County Commissioners may cause the records of the county to be microfilmed; providing that they may enter into one or more contracts for the same; providing that they may levy and pay for the same; providing that they may place said microfilm in a place of safety other than the courthouse containing the records microfilmed and expend the necessary amount for such safe storage; and providing for an effective date." Referred to Committee on Townships and Counties.

House Bill No. 106, introduced by Barrett, Gunderson: A bill for an act entitled: "An act to amend section 35-414 of the Revised Codes of Montana, 1947, relating to the termination of operation of housing facilities acquired pursuant to the emergency war and veterans housing facilities act of the State of Montana; to provide for extending the date of termination of operation from May 1, 1959 to May 1, 1961." Referred to Committee on Military Affairs.

House Joint Memorial No. 4, introduced by Tonner, McOmber, Harball, McGarvey, Moudree, Emmons, Gilfeather: A joint memorial of the House of Representatives and the Senate of the State of Montana to the Governor of the State of Montana, J. Hugo Aronson; the Superintendent of Public Instruction of the State of Montana, Harriet J. Miller; and the Montana State Board of Education; requesting that the State Board of Education and the Superintendent of Public Instruction recognize and enforce their mutual obligation to provide that teaching of conservation in a continuing program be conducted in the public elementary and secondary schools of the State of Montana. Referred to Committee on Education.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 38 was passed by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston,

Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Sheldon, Strnisha, Walton, Wood, Woodring, Wold, Mr. Speaker. Total 84.

Noes: None.

Absent: None.

Excused: Abel, Haines (Missoula), Jardine, Lees, Wright. Total 5.

Not voting: Holecek, Holtz, Sheehy, Tonner, Wayrynen. Total 5.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Felt of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 19 do pass.

That House Bill No. 37 do pass.

That House Bill No. 39 do pass.

That House Bill No. 55 be amended in the title thereof in line 20 of the original bill by adding after the word "injuries" a ";," and the words "providing an effective date.";

And as amended, do pass.

FELT, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Joint Resolution No. 2, respectfully report as follows: That House Joint Resolution No. 2 be amended as follows:

In line 19 of the original bill after the word "consultant" insert the words "and such assistants as might be necessary, not exceeding two (2)";

And as amended, do pass.

EMMONS, Chairman.

Motion was made by Emmons that the committee report be adopted.

Substitute motion was made by Gerard that House Joint Resolution No. 2 be rereferred to the Committee on Ways and Means for further consideration. Motion lost.

Original motion by Emmons carried. Committee report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by McGarvey that House Bill No. 5 be taken from

the Committee on State Boards and Institutions and referred to the Committee on Judiciary. Motion carried.

The Speaker appointed the following members to the Necrology Committee: Morrison, chairman; McNally, Paulsen, Cavan.

Motion was made by Cerovski that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 19, 37 and 39.

AASHEIM, Vice-Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 63 and 70, beg leave to report that the same have this date been returned from the printer correctly printed.

DEVIER, Vice-Chairman

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 21, respectfully report as follows: That House Bill No. 21 do not pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 53, respectfully report as follows: That House Bill No. 53 do not pass, but that

Substitute House Bill No. 53, introduced by the Committee on Education: A bill for an act entitled: "An act to amend section 75-2701, Revised Codes of Montana, 1947, relating to earnable compensation and average final compensation of the teachers retirement system, State of Montana, and repealing all acts and parts of acts in conflict herewith."

Do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 34, respectfully report as follows: That House Bill No. 34 be amended as follows:

Amend the title in line 7, page 1, of the original bill, after the word and punctuation "care;," by inserting the words and punctuation "defining the operator of a boarding home or nursing home; exempting from licensing or inspection those who care for relatives in a non-commercial nursing or boarding home;"

And further amend in line 29, page 1, of the original bill, by adding sub-section (d) to read: "(d) Any person or persons caring for individuals related by blood or marriage shall be exempt from the requirement of licensing and inspection unless operating a commercial nursing home or boarding home."

And as so amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 48, respectfully report as follows: That House Bill No. 48 be amended as follows:

On line 17, page 1 of the original bill, by deleting the figures "80-714" and inserting the figures "80-720" in lieu thereof,

And as so amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 57, respectfully report as follows: That House Bill No. 57 do pass.

ESKILDSEN, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 21, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Committee on Judiciary, reports adopted, and the bills are herewith returned to the House:

House Bill No. 7 by Tonner et al.

House Bill No. 9 by Tonner et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Haines (Missoula) that the House reconsider its action of yesterday in adopting an adverse committee report on House Bill No. 24. Motion lost.

Haines requested that there be a Division of the House on the above motion. Request denied.

Gerard rose on a Point of Order with reference to the above and quoted Robert's Rules of Order No. 25. The Speaker referred the question to the Committee on Rules, Joint Rules and Order of Business.

Motion was made by Cervoski that House Bill No. 22 be taken from the Committee on Printing and rereferred to the Committee on Privileges and Elections. Motion carried.

Motion was made by Anderson that House Bill No. 70 be taken from the House and returned to the Committee on Judiciary. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Substitute House Bill No. 53, introduced by the Committee on Education: A bill for an act entitled: "An act to amend section 75-2701, Revised

Codes of Montana, 1947, relating to earnable compensation and average final compensation of the teachers retirement system, State of Montana, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Printing.

House Bill No. 107, introduced by Broeder: A bill for an act entitled: "An act to amend section 32-1201, Revised Codes of Montana, 1947, relating to definitions, by defining supervisor and board, and to amend section 32-1202, Revised Codes of Montana, 1947, as amended by section 1, chapter 212, Laws of Montana, 1947, relating to accidents involving death or personal injury, by substituting the word 'board' for the word 'registrar', by authorizing the board to revoke license or permit to drive or any nonresident operating privilege for violation of this section; and to amend section 32-1206, Revised Codes of Montana, 1947, relating to duty of drivers upon striking fixtures upon the highway, by requiring drivers of vehicles involved in accidents to report damage to property owners; and to amend section 32-1207, Revised Codes of Montana, 1947, relating to immediate reporting of accidents by requiring drivers of vehicles involved to give immediate notice of accidents by quickest means of communication; and to amend section 32-1208, Revised Codes of Montana, 1947, relating to written reports of accidents by adding the word 'bodily' before the word 'injury' of subsection (a) of this section by increasing property damage from twenty-five dollars (\$25.00) to one hundred dollars (\$100.00) when written reports of accidents are required by substituting the word 'board' for the word 'supervisor'; by adding a section numbered 32-1208.1 relating to the form of accident reports by providing that the report will contain sufficient information to determine compliances with safety responsibility statutes; and to add a section numbered 32-1208.2 relating to additional accident information by providing that the board may require drivers of vehicles involved in accidents to submit additional information and provided that law enforcement officers who investigate accidents must submit a written report of such to the board within five (5) days; and to amend section 32-1209, Revised Codes of Montana, 1947, relating to when driver is unable to give immediate notice or submit written report by exempting drivers who are physically incapable of giving immediate notice or submitting such report, during such period of incapacity, and providing that an occupant shall give immediate notice and make or cause to be made the written report not made by the driver, and providing that when the incapacitated driver is not the owner of the vehicle, the owner of the vehicle shall make such written report not made by the driver of the vehicle; by adding a section numbered 32-1209.1 relating to false reports, by prohibiting any person making reports from giving false information and providing penalty for violation of such section; and by amending section 32-1210, Revised Codes of Montana, 1947, relating to accident report forms, by substituting the word 'board' for the word 'supervisor'; and to add section 32-1210.1, relating to penalties for violations of act, by providing that the board may suspend the license or other driving privilege of persons failing to report accidents and providing for fines for persons who fail to submit written reports of accidents; and to amend section 32-1211, Revised Codes of Montana, 1947, relating to coroners' responsibility to report traffic accidents, by requiring coroners to report traffic accidents to board each month; and to amend section 32-1213, Revised Codes of Montana, 1947, relating to confidential use of accident reports by substituting the word 'board' for the word 'supervisor', by providing that financial responsibility reports submitted by the persons who are the drivers or the owners of motor vehicles are confidential; by repealing all acts or parts of acts in conflict herewith and by providing for effective date of act." Referred to Committee on Highways and Highway Transportation.

House Bill No. 108, introduced by Broeder: A bill for an act entitled: "An act to amend section 53-421 of the Revised Codes of Montana, 1947, relating to report required following accident; by substituting five (5) days for ten (10) days with reference to when written reports must be

submitted to supervisor; by repealing all acts and parts of acts in conflict herewith; by providing that this act shall be in full force and effect from and after its passage and approval." Referred to Committee on Highways and Highway Transportation.

House Bill No. 109, introduced by Broeder: A bill for an act entitled: "An act to amend section 31-149, Revised Codes of Montana, 1947, as amended by section 1, chapter 126, Laws of Montana, 1957, relating to period of suspension or revocation; by striking that portion of this section which makes an exception to suspension under section 32-1202, Revised Codes of Montana, 1947; by repealing all acts or parts of acts in conflict herewith and by providing for effective date of act." Referred to Committee on Highways and Highway Transportation.

House Bill No. 110, introduced by McGarvey and Broeder (by request): A bill for an act entitled: "An act authorizing and empowering the State Board of Land Commissioners of the State of Montana to sell and convey a tract of land in the southwest quarter of the northeast quarter of the southwest quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) and in the northwest quarter of the northeast quarter of the southwest quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) section 16, township 28 north, range 21 west; comprising twelve and one half (12 $\frac{1}{2}$) acres, Flathead County, to the best interests of the State of Montana; providing for platting the acreage into lots and blocks if deemed necessary to the best interests of state; providing for appraisal of said land; providing for notice of sale pursuant to section 81-909 of the Revised Codes of Montana, 1947; providing costs of sale and all expense incidental thereto shall be paid out of the proceeds of the sale and providing the net proceeds of the sale shall go to the common school fund; providing for the effective date of the act and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Lands, Forests and Parks.

House Bill No. 111, introduced by Jensen: A bill for an act entitled: "An act to amend section 26-201, Revised Codes of Montana, 1947, as amended by chapter 37, laws of 1949, and by chapter 36, laws of 1951, and by chapter 121, laws of 1951, and by chapter 19, laws of 1953, relating to definitions and providing that chukar partridges be defined as upland game birds; that morning doves be defined as migratory game birds; that Canada lynx and black-footed ferret be added to fur bearing animals; removing fox from fur bearing list; and containing a repealing clause." Referred to Committee on Fish and Game.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 55.

AASHEIM, Vice-Chairman.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner, the appropriation measure having been read at length:

House Bill No. 19 was passed by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy,

Shelden, Sheldon, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 88.

Noes: None.

Absent: None.

Excused: Abel, Page (Granite), Wright. Total 3.

Not voting: Gleed, Nichols, Strnisha. Total 3.

House Bill No. 37 was passed by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Barrett, Mr. Speaker. Total 88.

Noes: None.

Absent: None.

Excused: Abel, Page (Granite), Wright. Total 3.

Not voting: Gleed, Nichols, Strnisha. Total 3.

House Bill No. 39 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Tonner, Walton, Wood, Woodring, Wold, Mr. Speaker. Total 79.

Noes: Angstman. Total 1.

Absent: None.

Excused: Abel, Page (Granite), Wright. Total 3.

Not voting: Broeder, Corcoran, Glancy, Gleed, Holtz, Loughran, McNally, Nichols, Powers, Strnisha, Wayrynen. Total 11.

House Bill No. 55 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, Mc-

Garvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 86.

Noes: None.

Absent: None.

Excused: Abel, Page (Granite), Wright. Total 3.

Not voting: Angstman, Elting, Gleed, Nichols, Strnisha. Total 5.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Thursday, January 22, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

EIGHTEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 22, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Anderson, Curry, Loman, McGarvey, Page (Missoula), Schwinden, Sheehy, who were excused, and Wright, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Seventeenth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Joint Memorial No. 1, beg leave to report that the same has this date been returned from the printer correctly printed.

DEVIER, Vice-Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 11, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 59, respectfully report as follows: That House Bill No. 59 do pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had

under consideration House Bill No. 67, respectfully report as follows: That House Bill No. 67 be amended as follows:

In lines 7 and 13 of the title delete the words "big game" and insert in lieu thereof the words "deer, antelope and elk," and

In lines 17 and 18, of page 4, and in lines 7, 12 and 13, of page 8, delete the words "big game" and insert in lieu thereof the words "deer, antelope and elk."

And as so amended, do pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 68, respectfully report as follows: That House Bill No. 68 be amended as follows:

Amend the title in line 6 of the original bill by inserting the following words after the word "act"—"; to provide for a record to be kept, and containing a repealing clause.

And as so amended, do pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 41, respectfully report as follows: That House Bill No. 41 do not pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 91, respectfully report as follows: That House Bill No. 91 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 46, respectfully report as follows: That House Bill No. 46 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 73, respectfully report as follows: That House Bill No. 73 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 74, respectfully report as follows: That House Bill No. 74 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 75, respectfully report as follows: That House Bill No. 75 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 76, respectfully report as follows: That House Bill No. 76 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 86, respectfully report as follows: That House Bill No. 86 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 96, respectfully report as follows: That House Bill No. 96 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, respectfully report as follows:

Regarding the point of order raised by the Minority Floor Leader upon a call for Division, the Rules Committee unanimously upholds the decision of the Speaker in denying a call for a vote.

A further clarification of the subject matter in Roberts Rules of Order has been unanimously adopted to read as follows:

Hereafter a call for Division may be made any time on a ruling until after another motion has been put.

A call for Division may be denied by the Speaker if, in his opinion, this privilege is abused.

CEROVSKI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 33, respectfully report as follows: That House Bill No. 33 be amended as follows:

In line 12, page 1, of the original bill, after the word "misdemeanor," insert the following: "and prima facie evidence of a discriminatory practice,"

And as so amended, do pass.

HELDING, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 20, respectfully report as follows: That House Bill No. 20 be amended as follows:

Under section 1 of the original bill, sub-section (d) delete paragraph (4) in its entirety and renumber section (5) to read section (4), section (6) to read section (5), section (7) to read section (6), section (8) to read section (7), and further amend on page 2, section 2, line 5 by striking the words and figures "one dollar and twenty-five cents (\$1.25)" and inserting in lieu thereof the words and figures "one dollar (\$1.00)" and further amend in lines 11 and 12 by striking the words and figures "one dollar and twenty-five cents (\$1.25)" and inserting in lieu thereof the words and figures "one dollar (\$1.00)",

And as so amended, do pass.

HELDING, Chairman.

Motion was made by Holding that the committee report be adopted.

Mr. Speaker: We, a minority of your Committee on Labor, having had under consideration House Bill No. 20, respectfully report as follows: That House Bill No. 20 do not pass.

FJARE,
ELTING,
POWELL.

Substitute motion was made by Fjare that the minority committee report be adopted.

Request was made by Glancy for a roll call vote on the substitute motion and that the results thereof be spread on the Journal in full. There being a sufficient number of seconds, a roll call vote was had, and the motion failed to carry by the following vote:

Ayes: Babcock, Barnes, Battin, Bentz, Broeder, Casey, Cavan, Corcoran, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Leuthold, Nestead, Nichols, Paulsen, Powell, Reinecke, Sales, Walton. Total 30.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Bashor, Bradford, Cerovski, Clowes, Daniels, Devier, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Lees, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Shea, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 54.

Absent and not voting: Angstman, DeWolfe, Wright. Total 3.

Excused: Anderson, Curry, Loman, McGarvey, Page (Missoula), Schwinden, Sheehy. Total 7.

Motion of Holding that the committee report of the majority, be adopted, was carried.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House reconsider its previous action on House Bill No. 41 in adopting an adverse committee report. Motion carried.

Motion was made by Cerovski that House Bill No. 41 be returned to the Committee on Affairs of Cities for further consideration. Motion carried.

Motion was made by Cerovski that the House grant its unanimous consent for suspension of the rules so that House Bill No. 24 may be returned to the House for reconsideration. Motion carried.

Motion was made by Haines (Missoula) that the House reconsider its action of yesterday in adopting an adverse committee report on House Bill No. 24. Motion carried.

Motion was made by Haines (Missoula) that House Bill No. 24 be referred to the Committee on Townships and Counties. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times,

appropriation measures having been read at length, and referred to committees:

House Bill No. 112, introduced by the Committee on Education: A bill for an act entitled: "An act to amend sections 75-2301, Revised Codes of Montana, 1947, relating to fire drills in all schools and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 113, introduced by Broeder, Sheldon (Flathead), Tonner, Haines (Missoula), Howard, Loman, Kiff, Harball, McGarvey, Nichols, Strnisha: A bill for an act entitled: "An act to amend section 32-1123 of the Revised Codes of Montana of 1947, as amended by chapter 250 of the laws of 1955, relating to maximum dimensions, weights, and speeds of motor vehicles, by changing the maximum speeds of trucks and by revising the maximum gross weight standards for vehicles or combinations of vehicles having a distance of from thirty-nine (39) to fifty-one (51) feet, inclusive, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 114, introduced by Fish and Game Committee: A bill for an act entitled: "An act providing that the State Fish and Game Commission may issue wild turkey tags to holders of valid class A, class B-1, class B-2 licenses; providing for a \$2.00 fee; providing for the tagging of said turkeys; providing for penalties; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 115, introduced by Wayrynen, Jensen: A bill for an act entitled: "An act to amend section 26-222 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 156 of the Montana Session Laws of 1949, relating to compensation and duties of licensed agents of the Fish and Game Commission for the sale of licenses; to provide that said agents shall receive twenty-five cents for each license issued by him; containing a repealing clause and providing an effective date." Referred to Committee on Fish and Game.

House Bill No. 116, introduced by Parker, Barrett (by request): A bill for an act entitled: "An act to amend section 75-2401, Revised Codes of Montana, 1947, as amended by chapter 26, laws of 1957, relating to the reelection of teachers and providing that any teacher may be retired who has attained the age of sixty-five (65) years and that a board of trustees may continue to employ a teacher until the age of seventy (70) years and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 117, introduced by Barrett, Parker (by request): A bill for an act entitled: "An act creating a commission to make a comprehensive and constructive study of the tax structure and educational system of the State of Montana, creating the commission on taxation and education and prescribing the powers and duties of the commission; providing for selection of an executive secretary and other personnel; appropriating funds for the expense thereof and providing for an effective date." Referred to Committee on Appropriations.

House Bill No. 118, introduced by Paulsen: A bill for an act entitled: "An act to provide for the issue and sale by the State Board of Examiners of bonds for the purpose of erecting an Unemployment Compensation Commission building as an adjunct to the State Capitol building; designating the funds from which said bonds shall be paid; providing for an Unemployment Compensation Commission building interest and sinking fund; enumerating the powers and duties of the State Board of Examiners in carrying out the provisions of this act; authorizing the State Board of Land Commissioners to purchase said bonds with moneys from the long term investment fund; providing a savings clause; and providing an effective date." Referred to Committee on Appropriations.

House Bill No. 119, introduced by Paulsen: A bill for an act entitled: "An act to appropriate money from this state's account in the unemployment trust fund on deposit with the Secretary of the Treasury of the United States of America, limited to the amounts paid into said fund pursuant to section 903 of the social security act, as amended, for the construction of an Unemployment Compensation Commission building upon the present Capitol building grounds, and for the liquidation of bonds hereafter sold to obtain funds for such construction, and, further, limiting the period of time prior to the obligation of such funds to a period not to exceed two years from the date of the passage and approval of this act; providing a name for said building; and providing an effective date." Referred to Committee on Appropriations.

House Bill No. 120, introduced by Paulsen: A bill for an act entitled: "An act to amend section 79-1202, Revised Codes of Montana, 1947, as amended by chapter 118, Laws of Montana, 1957, relating to the investment of moneys in the long term investment fund; repealing all acts and parts of acts in conflict herewith, and providing an effective date." Referred to Committee on Appropriations.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Leuthold of Stillwater in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 52 be amended in the title in line 10 of the original bill by inserting after the word "acres" the words "and providing an effective date"; and as amended, do pass.

That consideration of House Bill No. 69 be passed for the day.

That House Bill No. 63 do pass.

That House Bill No. 34 do pass.

LEUTHOLD, Chairman.

Report adopted.

It was moved by Cerovski that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed. House Bills Nos. 34, 52 and 63.

PARKER, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 22, respectfully report as follows: That House Bill No. 22 be amended as follows:

Amend the previous Privileges and Elections Committee amendments on line 14, page 1, of the title of the original bill, after the words "R.C.M. 1947" by inserting the words "providing for an effective date.";

Further amend by adding on line 3, page 7 of the original bill the following paragraph "Section 4. That this act shall be in full force and effect from and after its passage and approval.";

And as so amended, do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 40, respectfully report as follows: That House Bill No. 40 do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 82, respectfully report as follows: That House Bill No. 82 be amended as follows:

Amend in line 3, page 2 of the original bill, by adding the following: "Section 2. That all acts or parts of acts in conflict herewith are hereby repealed.";

And as amended, do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 90, respectfully report as follows: That House Bill No. 90 be referred to the Committee on Affairs of Cities.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, a Majority of your Committee on Social Security, having had under consideration House Bill No. 1, respectfully report as follows: That House Bill No. 1 do pass.

PARKER,
SHELDEN,
MERNIN,
KARLBERG,
POWERS,
TONNER,
HEALY,
McNALLY,
HELDING.

Motion was made by Parker for adoption of the Majority report.

Mr. Speaker: We, a Minority of your Committee on Social Security, having had under consideration House Bill No. 1, respectfully report as follows: That House Bill No. 1 do not pass.

CAVAN,
WALTON,
KOLAR,
ELTING,
HIGHAM.

Substitute motion was made by Cavan for adoption of the Minority report.

A request was made by Glancy for a roll call vote on the above substitute motion and that such vote be spread on the Journal in full. Ten seconds rose at Glancy's request.

Motion was made by Healy that there be a Call of the House, and that he have fifteen seconds. There being a sufficient number of seconds, the Speaker ordered a Call of the House. Progress having been reported on roll call, Healy moved that the Call of the House be dispensed with. Motion carried, and the following vote was taken:

Ayes: Angstman, Babock, Battin, Bentz, Broeder, Casey, Cavan, Clowes, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Missoula), Hanks, Hawks, Higham, Howard, Kolar, Kvaalen, Lees, Leuthold, Loman, Morrison, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Raundal, Reeder, Regan, Reinecke, Sales, Walton. Total 36.

Noes: Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Cerovski, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Page (Granite), Parker, Picard, Powers, Rindy, Schwinden, Shea, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Wayrnen, Wood, Woodring, Mr. Speaker. Total 47.

Absent and not voting: Wright. Total 1.

Excused: Aasheim, Anderson, Bradford, Corcoran, Curry, Daniels, Haines (Prairie), Kiff, Nees, Wold. Total 10.

Substitute motion for adoption of the Minority Committee report failed to carry.

Motion of Parker for adoption of the Majority Committee report carried. Report adopted.

MESSAGES FROM THE SENATE

January 22, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 3 by Cotton.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 121, introduced by McOmber, Broeder, Lees, McGaffick, Wayrnen, Gleed, Daniels: A bill for an act entitled: "An act relating to the discovery of dead bodies, duty to report said discovery to the coroner, duty to leave dead bodies and surroundings unmolested, penalties for violations, right of coroner to order autopsy and conduct scientific examination and manner of paying claims therefor, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 122, introduced by McOmber, McGaffick, Broeder, Lees,

Wayrynen, Glead, Daniels: A bill for an act entitled: "An act to amend section 94-201-6, of the Revised Codes of Montana of 1947, relating to the testimony adduced before a coroner's jury, by requiring a transcript of the proceedings therein and providing for payment of claims therefor, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 123, introduced by Gunderson, Cavan, Sheehy, Anderson, Wayrynen: A bill for an act entitled: "An act to define and regulate the business of lending in amounts of one thousand dollars (\$1,000.00) or less; to authorize the licensing of persons engaged in such business; to permit such licensees to make charges at a greater rate than lenders not licensed hereunder; to prescribe maximum rates of charge which licensees are permitted to make; to provide for the administration and enforcement of this act and the issuance of regulations and orders therefor by the small loan board; to authorize the making of examinations and investigations and the publication of reports thereof; to provide that the small loan board shall use the facilities of the state banking department in administering and enforcing this act and that it may employ a deputy and other necessary employees; to provide for a review of administrative acts hereunder; to prescribe penalties; to repeal all acts and parts of acts in conflict herewith; and to provide when this act shall become effective." Referred to Committee on Banking and Insurance.

House Bill No. 124, introduced by Casey, Glancy, Cavan, Shea, Devier: A bill for an act entitled: "An act to amend section 16-1904, relating to hearings on the budget, adoption and fixing tax levies thereunder; deleting all reference to ten (10%) per centum of the amount actually expended for the year immediately preceding and the total amount appropriated therefor; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 125, introduced by Nelstead, Healy: A bill for an act entitled: "An act to amend sections 11-725, 11-728, and 11-729 of the Revised Codes of Montana, 1947, as amended, pertaining to salaries and qualifications of mayors, aldermen, city and town treasurers, and city attorneys; providing for the elimination of limits on salaries of mayors and city attorneys in cities of the first class and providing for the method of fixing such salaries; providing for increased limits for all other mayors, city attorneys, and for all city or town treasurers and aldermen; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 126, introduced by Gilfeather, Cavan, Barnard: A bill for an act entitled: "An act to create a state bureau of criminal identification, and statistics under the department of the attorney general; providing the general powers and duties; providing for laboratory and clinical facilities; providing for transmission of records to the bureau; providing for appointment and discharge of personnel; providing for a records section at the state penitentiary; providing for money for the operation of the bureau; amending sections 25-226, 25-201, Revised Codes of Montana, 1947, as amended; repealing certain acts in conflict therewith and providing an effective date." Referred to Committee on State Boards and Institutions.

House Bill No. 127, introduced by Sheehy: A bill for an act entitled: "An act to amend section 66-1508 of the Revised Codes of Montana, 1947, relating to the licensing of pharmacies and stores other than a pharmacy; providing an increase in the annual fee from three dollars to five dollars; providing for authorized licensed stores other than pharmacies to sell, deliver or give away certain household medicinal drugs; providing penalties for violation of the act; providing for revocation of said licenses." Referred to Committee on Public Health, Morals and Safety.

Senate Bill No. 3, introduced by Cotton: A bill for an act entitled: "An act to amend section 75-1620 of the Revised Codes of Montana, of 1947,

relating to expenses of school trustee elections; to provide that election judges be at a rate not to exceed one dollar per hour." Referred to Committee on Education.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 34 was passed by the following vote:

Ayes: Abel, Babcock, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Clowes, Devier, DeWolfe, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Haines (Missoula), Hanks, Harball, Holding, Higham, Holecek, Howard, Karlberg, Kolar, Kvaalen, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Morrison, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Reeder, Regan, Reinecke, Rindy, Sales, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Mr. Speaker. Total 58.

Noes: Angstman, Barrett, Cerovski, Elting, Healy, Mernin, Moudree, Nichols, Powers, Raundal, Schwinden. Total 11.

Absent and not voting: Bardanouve, Eskildsen, Gill, Gunderson, Hawks, Holtz, Langston, Lees, Picard, Jardine, Jensen, Shea, Wayrynen, Wright. Total 14.

Excused: Aasheim, Anderson, Bradford, Corcoran, Curry, Daniels, Haines (Prairie), Kiff, McGarvey, Nees, Wold. Total 11.

House Bill No. 52 was passed by the following vote:

Ayes: Abel, Angstman, Babock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Howard, Jardine, Karlberg, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Mr. Speaker. Total 74.

Noes: None.

Absent and not viting: Bardanouve, Hawks, Holtz, Jensen, Lees, Parker, Picard, Wayrynen, Wright. Total 9.

Excused: Aasheim, Anderson, Bradford, Corcoran, Curry, Daniels, Haines (Prairie), Kiff, McGarvey, Nees, Wold. Total 11.

House Bill No. 63 was passed by the following vote:

Ayes: Abel, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Angstman, Bardanouve, Hawks, Jensen, Lees, Wayrynen, Wright. Total 7.

Excused: Aasheim, Anderson, Bradford, Corcoran, Curry, Daniels, Haines (Prairie), Kiff, McGarvey, Nees, Wold. Total 11.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 57 and 48, and House Joint Resolution No. 2, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Friday, January 23, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

NINETEENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 23, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Anderson, Angstman, Curry, Loman, McGarvey, McOmber, Page (Missoula), Schwinden, Sheehy, excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Eighteenth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 31, 59, and Substitute House Bill No. 53, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 106, respectfully report as follows: That House Bill No. 106 be amended as follows:

In the title, line 9 of the original bill, delete the punctuation ".", and in lieu thereof insert, "and providing an effective date."";

And further amend the body of bill by adding section 3, to read "This act shall be in full force and effect after its passage and approval."

And as so amended, do pass.

ABEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and

Federal Relations, having had under consideration House Joint Resolution No. 1, respectfully report as follows: That House Joint Resolution No. 1 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Joint Memorial No. 2, respectfully report as follows: That House Joint Memorial No. 2 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Joint Memorial No. 3, respectfully report as follows: That House Joint Memorial No. 3 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 27, respectfully report as follows: That House Bill No. 27 be amended as follows:

On page 12, line 29, section 6, of the original bill, after “(\$2.00)”, delete the word “and” and insert a comma “,”;

Further amend on line 30, page 12, after the figures “1959”, by striking the period “.” and adding the following: “and shall be deposited by said board to the credit of the general fund.”;

And further amend on line 24, page 13, following the word “all” by striking the words “license fees and”;

And as so amended, do pass.

HOLTZ, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 128, introduced by Bradford: A bill for an act entitled: “An act to amend section 23-502 of the Revised Codes of Montana, 1947, relating to registry books and registry cards, to provide for the inclusion of political party affiliation; providing for the declaration of political affiliation and voting at primary elections; providing for registering change of political affiliation; providing for the form of affidavit for change of political affiliation; providing for an elector to retain the same registration number as he had prior to this act; to amend section 23-919 of the Revised Codes of Montana, 1947, relating to arrangement of ballots to conform to the intent of this act; to amend section 23-1402 of the Revised Codes of Montana, 1947, relating to war registration cards, to provide for the inclusion thereon of the political affiliation; containing a repealing clause and providing an effective date.” Referred to Committee on Privileges and Elections.

House Bill No. 129, introduced by Emmons, Clowes, Wayrynen, Holding, Glead, Elting, Kiff: A bill for an act entitled: “An act to amend section 72-150, Revised Codes of Montana, 1947, relating to safety regulatory power of the Montana Railroad Commission; providing authority to make health and safety rules and regulations relating to sanitation and shelter; repealing conflicting acts.” Referred to Committee on Railway and Aviation Transportation.

House Bill No. 130, introduced by Hawks, Elting, Kiff, Powell, Gerard, Walton, Langston, Morrison, Woodring, DeWolfe, Higham: A bill for an act entitled: "An act to amend section 84-301 of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 178 of the laws of 1951, relating to classification of taxable property in Montana; providing for removal of livestock, poultry and the unprocessed products of both from class three classification and including same in class two classification; containing a repealing clause." Referred to Committee on Ways and Means.

CONSIDERATION OF GENERAL ORDERS

It was moved by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Daniels of Powell in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Joint Resolution No. 2 do pass.

That House Bill No. 48 do pass.

That consideration of House Bill No. 69 be passed for the day.

That consideration of House Bill No. 57 be passed for the day.

DANIELS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that House Bill No. 69 be taken from General Orders and be rereferred to the Committee on Affairs of Cities. Motion carried.

Motion was made by Cerovski that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following correctly engrossed: House Bill No. 48 and House Joint Resolution No. 2.

PARKER, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 50, respectfully report as follows: That House Bill No. 50 be amended as follows:

In lines 21 and 22 of the original bill by deleting "one hundred dollars (\$100.00)" and inserting in lieu thereof "seventy-five dollars (\$75.00)" and

As so amended, do pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 93, respectfully report as follows: That House Bill No. 93 do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 41, respectfully report as follows: That House Bill No. 41 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 47, respectfully report as follows: That House Bill No. 47 be amended as follows:

In line 5, page 2 of the original bill, after the period (.) by striking the words "he shall also receive, without cost, all food and other provisions supplied by the commissary and consumed at such residence," and inserting in lieu thereof "food and other provisions available at the prison commissary shall be furnished without cost to the warden for consumption and use at said residence, provided that an accounting of such food and provisions so consumed, shall be made annually to the state prison board."

And as so amended, do pass.

ESKILDSSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 90, respectfully report as follows: That House Bill No. 90 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 103, respectfully report as follows: That House Bill No. 103 do pass.

CLOWES, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Jensen that the period of investigation by the committee for investigating the Fish and Game Commission be extended from the twentieth to the fifty-eighth legislative day. Motion carried.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 48 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fiare, Fladager, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, Mernin, Morrison, Nees, Nelstead, Page (Granite), Page

(Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 87.

Noes: Bashor, Elting, Moudree, Nichols. Total 4.

Absent and not voting: None.

Excused: Anderson, Curry, McOmber. Total 3.

House Joint Resolution No. 2 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Kiff, Kolar, Langston, Lees, Loman, Loughran, McGaffick, McGarvey, McNally, Mernin, Morrison, Moudree, Nees, Nichols, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 71.

Noes: Babcock, Broeder, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kvaalen, Leuthold, Nelstead, Page (Missoula), Paulsen, Powell, Reinecke, Sales, Wright. Total 20.

Absent and not voting: None.

Excused: Anderson, Curry, McOmber. Total 3.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, appropriation measure at length, and referred to committees:

House Bill No. 131, introduced by MacDonald, Cerovski: A bill for an act entitled: "An act calling for the submission to the electors of the State of Montana of a proposal for the calling of a convention to revise, alter or amend the Constitution of the State of Montana; and providing for the method of voting at such election." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 132, introduced by Elting, Higham, Raundal: A bill for an act entitled: "An act to define and regulate the business of lending in amounts of one thousand dollars (\$1,000) or less; authorizing the licensing of persons engaged in such business; prescribing maximum rates of charge which licensees are permitted to make; defining the purchase of wages as a loan for the purposes of this act; providing for the administration and enforcement of this act by the state examiner as ex-officio superintendent of banks and for employment of a deputy and other necessary employees; providing for the issuance of regulations and orders; authorizing and requiring examinations and investigations and reports; providing for a review of administrative acts by the District Court; providing for disposition of license and investigation fees; prescribing penalties for violations of this act; and providing for repeal of all acts or parts of acts inconsistent with the provisions of this act." Referred to Committee on Banking and Insurance.

House Bill No. 133, introduced by Daniels: A bill for an act entitled: "An act to amend section 75-2006 relating to increased services of the State Correspondence School." Referred to Committee on Education.

House Bill No. 134, introduced by Wayrynen, Emmons, Abel, Harball, Sheldon (Flathead), Gleed, Kiff, Elting: A bill for an act entitled: "An

act prohibiting the operation of railroad trains of various sizes and types with less than a minimum crew, as specified in this act; and providing for treble damages in the event of sickness, injury, loss, disability or accident resulting from the violation of any of the provisions of this act." Referred to Committee on Railway and Aviation Transportation.

House Bill No. 135, introduced by Battin, Morrison: A bill for an act entitled: "An act to amend section 11-1814, Revised Codes of Montana, 1947, relating to qualifications of policemen; providing for a reduction in the residence requirement from two years to six months; providing that all acts and parts of acts in conflict herewith are hereby repealed; and providing for an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 136, introduced by Wood, Barnard, Felt, Howard: A bill for an act entitled: "An act to appropriate one hundred thousand dollars (\$100,000.00) for the operation and expenses of the legislative council for the period beginning July 1, 1959, and ending June 30, 1961, and to provide for an effective date of this act." Referred to Committee on Appropriations.

House Bill No. 137, introduced by Felt: A bill for an act entitled: "A bill to provide for the submission to the electors of the State of Montana, for their vote, the question of whether or not there shall be called a constitutional convention pursuant to article XIX, section 8 of the Montana Constitution, for the purpose of revising, altering or amending the Constitution of the State of Montana; to provide for ratification by the electors of the State of Montana of the proposed new constitution." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 138, introduced by Babcock, Barrett, Broeder, Bradford, Bentz: A bill for an act entitled: "An act to amend section 31-105, Revised Codes of Montana, 1947, as amended by section 1, chapter 225, Laws of Montana, 1957, relating to qualifications of patrolmen—salary—probationary training—discharge—demotion—suspension—hearing; by increasing the number of patrol captains from five (5) to seven (7); by increasing the salary schedules of captains, sergeants, patrolmen and probationary patrolmen; by reducing residence requirements for patrolmen from five (5) years to three (3) years; by repealing all acts and parts of acts in conflict herewith; by providing for effective date of act." Referred to Committee on Highways and Highway Transportation.

House Bill No. 139, introduced by Babcock, Barrett, Broeder, Bradford, Bentz: A bill for an act entitled: "An act to amend section 31-104, Revised Codes of Montana, 1947, as amended by section 1, chapter 102, Laws of Montana, 1957, relating to supervisor—term—salary—resident requirement—supervisory power; by increasing the salary of the supervisor; by repealing all acts and parts of acts in conflict herewith; by providing for effective date of act." Referred to Committee on Highways and Highway Transportation.

House Bill No. 140, introduced by Babcock, Barrett, Broeder, Bradford, Bentz: A bill for an act entitled: "An act to amend section 117, chapter 263, Laws of Montana, 1955, relating to stop lamps on new motor vehicles; by requiring vehicles manufactured or assembled after January 1, 1960, to be equipped with stop lamps and electrical turn signals; providing exceptions thereto; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 141, introduced by Strnisha, Wood: A bill for an act entitled: "An act to repeal section 40-1201, as amended by section 1, chapter 179, Laws of Montana, 1955, sections 40-1202, 40-1203, and 40-1204, of the Revised Codes of Montana, 1947, relating to the state insurance commission." Referred to Committee on Banking and Insurance.

House Bill No. 142, introduced by Wood, Barnard, Howard: A bill for an act entitled: "An act to provide for the reappropriation of the balance remaining in account number 766, of the legislative council, for the period beginning February 21, 1959, and ending June 30, 1959, and to provide for an effective date of this act." Referred to Committee on Appropriations.

House Bill No. 143, introduced by Leuthold: A bill for an act entitled: "An act to amend section 81-433 of the Revised Codes of Montana, 1947, as amended by chapter 190, laws of 1949 and chapter 229, laws of 1951, relating to rental rates of state grazing lands upon the animal-unit-month basis; to provide for an increase in the rental rates of state grazing lands by use of a new formula for computation of such rates; and to provide for the repeal of all acts and parts of acts in conflict herewith." Referred to Committee on State Lands, Forests and Parks.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Daniels of Powell in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Joint Memorial No. 1 be amended in the title by striking the words "prohibiting microwave" which appear in line 11, and inserting in lieu thereof the words "regulating companies who transmit.";

And further be amended in the first resolution paragraph on page 3 of the printed bill by striking in lines 50 and 51 thereof the words "distinct prohibition of microwave" and inserting in lieu thereof the words "regulation of companies who transmit" and

As so amended, do pass.

That House Bill No. 11 do pass.

DANIELS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 111, respectfully report as follows: That House Bill No. 111 be amended as follows:

Delete the words "morning dove" from the title and body of the bill;

In the title, on line 13 of the original bill, after the word "list" delete the semicolon (;) and add the following: "and placing the fox on the predatory list"; and

Amend the body of the bill after the word "bobcat" on line 25, page 2 of the original bill, by deleting the period (.) and add the words "and fox"; and

As so amended, do pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 76, 75 and 67, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cеровski that the House adjourn until 10:00 a.m., Saturday, January 24, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

TWENTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 24, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel, Angstman, Curry, Daniels, Gunderson, Hawks, Jensen, Page (Granite), Shelden (Lincoln), Woodring, who were excused, and Fjare, McGarvey, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Nineteenth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 33, 40, 46, 73, 68, 91, 82, H.J.R. No. 1, 96, 1, and 20, beg leave to report that the same have this date been returned from the printer correctly printed.

DEVIER, Vice-Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 11 and House Joint Memorial No. 1.

PARKER, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 138, respectfully report as follows: That House Bill No. 138 be amended as follows:

Delete the words and figures "five hundred and fifty dollars (\$550.00)" on line 30, page 1 of the original bill, and insert in lieu thereof the words and figures: "four hundred and seventy-five dollars (\$475.00)";

Further amend, line 31 and 32, page 1, by deleting the words and figures, "five hundred dollars (\$500.00)" and inserting in lieu thereof the words and figures, "four hundred and fifty dollars (\$450.00)";

Further amend, page 2, line 1, by deleting the words and figures "four hundred and fifty dollars (\$450.00)" and inserting in lieu thereof the words and figures "four hundred and twenty-five dollars (\$425.00)";

Further amend, page 2, line 3, by deleting the words and figures "three hundred and seventy-five dollars (\$375.00)" and inserting in lieu thereof the words and figures "three hundred and fifty dollars (\$350.00)";

Further amend on page 1, line 12 of the title of the bill, by striking the semicolon (;) and inserting in lieu thereof a period "." and quotation marks (') and striking the following words "by providing for effective date of act."

Further amend on page 6, lines 12 and 13 by striking section 3 in its entirety.

And as so amended, be referred to the Committee on Appropriations.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 60, respectfully report as follows: That House Bill No. 60 do not pass, but that Substitute House Bill No. 60,

A bill for an act entitled: "An act to amend section 53-106.2 of the Revised Codes of Montana, 1947, as enacted by the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to special motor vehicle license plates for amateur radio operators, to provide for written application, proof of licensing, and issuance of licenses in pairs; to amend section 53-106.3 of the Revised Codes of Montana, 1947, as enacted by the Legislative Assembly aforesaid, relating to issuance of said license, application and additional fee, to provide for issuance in pairs and increased fee; to amend section 53-106.4 of the Revised Codes of Montana, 1947, as enacted by the Legislative Assembly aforesaid, relating to rules and regulations and limit of number of plates, to provide for issuance of plates in pairs; to amend section 53-106.6 of the Revised Codes of Montana, 1947, as enacted by the aforesaid Legislative Assembly, relating to affixing said plates to cars, sale or transfer of auto and expiration or revocation, to provide that said plates shall replace the regular motor vehicle license plate on the vehicle and regulations in the event of transfer of auto or expiration of amateur license; providing a repealing clause and an effective date."

Do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 80, respectfully report as follows: That House Bill No. 80 be amended as follows:

By deleting the word "poll" in lines 10, 15 and 16 of the title of the original bill.

And be further amended by deleting the word "poll" in line 26 of page 1, in line 8 of page 2, in line 24 of page 4 and in lines 8, 11 and 27 of page 6 of the original bill.

And as so amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 122, respectfully report as follows: That House Bill No. 122 do pass.

DANIELS, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 23, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 10 by Stein, Brownfield;

Senate Bill No. 11 by Stein, Brownfield;

Senate Bill No. 12 by Stein, Brownfield;

Senate Bill No. 13 by Hofland et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Memorial No. 5, introduced by Jardine, Parker, Bashor, Eskildsen: A joint memorial of the Senate and House of Representatives of the State of Montana to the Governor of the State of Montana, J. Hugo Aronson, requesting said Governor to proclaim October 31st as Youth Honor Day. Referred to Committee on State Boards and Institutions.

House Joint Memorial No. 6, introduced by Glancy, Barnes, Holding, Jensen, Angstman, Elting, Wold, Tonner: A joint memorial of the House of Representatives and the Senate of the State of Montana to Dwight D. Eisenhower, President of the United States; to the Congress of the United States; to the Honorable James E. Murray and the Honorable Mike Mansfield, Senators from the State of Montana; to the Honorable Lee Metcalf and the Honorable LeRoy Anderson, Representatives from the State of Montana; to the Department of the Interior and to the Honorable Secretary of the Interior; requesting that such action be taken as may be required to place the Absaroka-Yankee Jim project under construction as early as possible. Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 144, introduced by Haines (Missoula), Barrett, Leuthold: A bill for an act entitled: "An act to amend sections 75-2516, 75-2518, and 75-2520, Revised Codes of Montana, 1947, relating to classes of certificates for teaching and providing for new classes of teachers certificates and stating the qualifications therefor, and providing for the renewal of outstanding certificates and providing for an emergency authorization to teach, and repealing section 75-2517, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 145, introduced by Sheehy, Cavan, Gerard, Felt: A bill for an act entitled: "An act relating to securities and creating the office of investment commissioner; providing for the administration of the act and prescribing certain powers and duties in connection therewith; providing for the registration of securities; providing for the registration of broker-dealers, salesmen, and investment advisors; exempting certain securities and security transactions from the provisions of the act; providing for consent to service of process; providing for registration fees under the act; providing for investigations; providing for judicial review of

orders; defining terms; providing penalties; providing effective date of act; repealing section 66-2001; section 66-2002, as amended by section 1, chapter 178, Laws of Montana, 1957; section 66-2003, as amended by section 2, chapter 178, Laws of Montana, 1957; sections 66-2004 through 66-2006; section 66-2007, as amended by section 3, chapter 178, Laws of Montana, 1957; sections 66-2008 through 66-2017; section 66-2018, as amended by section 4, chapter 178, Laws of Montana, 1957; sections 66-2019 through 66-2022; section 66-2023, as amended by section 5, chapter 178, Laws of Montana, 1957; section 66-2024, as amended by section 6, chapter 178, Laws of Montana, 1957; sections 66-2025 and 66-2026, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions.

House Bill No. 146, introduced by Morrison, Gunderson, Walton: A bill for an act entitled: "An act to amend section 26-332 of the Revised Codes of Montana, 1947, relating to restrictions in the manner of taking fish, containing a repealing clause, and effective date." Referred to Committee on Fish and Game.

House Bill No. 147, introduced by Jardine, Abel, Holecek, Daniels: A bill for an act entitled: "An act to amend section 38-801, Revised Codes of Montana, 1947, pertaining to the establishment, supervision and control of the Montana State Training School at Boulder, Montana, to provide that the name of the institution shall be changed to 'Montana State Training School and Hospital'." Referred to Committee on State Boards and Institutions.

House Bill No. 148, introduced by Lees (by request): A bill for an act entitled: "An act to amend section 31-141 of the Revised Codes of the State of Montana, 1947, to provide for records to be kept by the state and county treasurers; repealing all acts or parts of acts in conflict with the provisions hereof, and providing for an effective date." Referred to Committee on Townships and Counties.

House Bill No. 149, introduced by Nelstead: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana an amendment to section 5, article XVI of the Constitution of the State of Montana, relating to election of county officers, to make it possible for county treasurers to succeed themselves; and providing an effective date." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 150, introduced by Nelstead: A bill for an act entitled: "An act to amend section 16-2406 of the Revised Codes of Montana, 1947, relating to the term of office of county officers, to make it possible for county treasurers to succeed themselves; repealing all acts or parts of acts in conflict herewith, and providing for an effective date." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 151, introduced by McNally, Powers, Healy: A bill for an act entitled: "An act to amend section 11-726 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 76, Session Laws of 1953, relating to the salaries of police judges; repealing all acts and parts of acts in conflict herewith; and, providing for an effective date of act." Referred to Committee on Affairs of Cities.

House Bill No. 152, introduced by Cavan, Loman, Sheehy, Barnard: A bill for an act entitled: "An act to amend section 94-7821 of the Revised Codes of Montana, 1947, as amended by chapter 194, laws of 1955, relating to the power of the court to suspend the execution of the sentence and place the defendant on probation and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 153, introduced by Wood: A bill for an act entitled: "An act to amend section 10-622, Revised Codes of Montana, 1947, as

amended by chapter 177 of Session Laws of the State of Montana, 1957, relating to the appointment, removal and salaries of probation officers for the juvenile departments of the District Courts in the State of Montana; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 154, introduced by Committee on Judiciary: A bill for an act entitled: "An act relating to the judicial department of the State of Montana; providing for the retirement of District Court judges and justices of the Supreme Court, subject to being called into service for certain purposes; creating a judicial retirement fund and holding the same for retirement pay; requiring judges to obtain maximum benefits under section 68-101 to 68-1320, R.C.M. 1947, before obtaining any benefits under this act." Referred to Committee on Judiciary.

House Bill No. 155, introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend section 93-303, Revised Codes of Montana, 1947, relating to salaries of district judges." Referred to Committee on Judiciary.

House Bill No. 156, introduced by Fladager: A bill for an act entitled: "An act to amend section 23-304 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 92 of the Montana Session Laws of 1949, and to amend section 23-515 of the Revised Codes of Montana, 1947, both relating to poll books and precinct registers, to clearly distinguish between poll books and precinct registers; to amend section 23-519 of the Revised Codes of Montana, 1947, relating to compensation of county clerks on preparing precinct registers to provide for the same clarification; to amend section 23-527 of the Revised Codes of Montana, 1947, relating to omissions of names from poll books, to provide for the same clarification; to amend section 23-704 of the Revised Codes of Montana, 1947, relating to furnishing of blanks by county commissioners, providing for clarification of terms; to amend section 23-908 of the Revised Codes of Montana, 1947, relating to enclosing and sealing poll books and tally sheets, to include precinct registers; to amend section 23-1210 of the Revised Codes of Montana, 1947, relating to method of voting, to clarify terms used; to amend section 23-1219 of the Revised Codes of Montana, 1947, relating to lists of voters, to clarify terms used; to amend section 23-1311 of the Revised Codes of Montana, 1947, relating to duty of election judges, to clarify terms used; to amend section 23-1313 of the Revised Codes of Montana, 1947, relating to envelopes containing ballots providing clarification of terms; to amend section 23-1320 of the Revised Codes of Montana, 1947, relating to the duty of elector, to provide for clarification of terms; to amend section 23-1702, of Revised Codes of Montana, 1947, relating to mode of canvassing returns, to clarify language used therein; to amend section 23-1703 of the Revised Codes of Montana, 1947, relating to excessive ballots, to clarify language used therein; to amend section 23-1709 of the Revised Codes of Montana, 1947, relating to election returns by judges, to clarify language used therein; to amend section 23-1714 of the Revised Codes of Montana, 1947, relating to disposition of returns, and section 23-1715 of the Revised Codes of Montana, 1947, relating to place of filing records, to clarify language used therein; to amend section 11-2310 of the Revised Codes of Montana, 1947, relating to registration of electors in cities and towns for bond elections, to clarify language used therein; to amend section 16-2026 of Revised Codes of Montana, 1947, relating to who are entitled to vote in county bond elections, to provide for clarification of language used therein; to amend section 75-3912 of the Revised Codes of Montana, 1947, relating to school district bond elections as to electors and poll books, to clarify the language used therein; clarifications herein relate to proper reference to the various lists, books and registers in the above sections; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Privileges and Elections.

House Bill No. 157, introduced by Barrett, Loman, Jardine, Cavan,

Daniels: A bill for an act entitled: "An act authorizing the court to sentence a convicted misdemeanor to confinement with parole during the periods of the prisoner's employment; specifying the disposition to be made of the prisoner's earnings; setting forth conditions for diminution of the misdemeanor's sentence; declaring the consequences of the prisoner's violation of parole conditions; extending the provisions of this act to jail commitments for adjudicated contempt of a court of record; containing a savings clause, effective date and repealing all acts and parts of acts in conflict." Referred to Committee on Judiciary.

House Bill No. 158, introduced by Wood: A bill for an act entitled: "An act to amend section 96, chapter 263, Laws of Montana, 1955, relating to the stopping, standing, or parking of motor vehicles outside of business or resident districts; by prohibiting persons from abandoning vehicles on highways or on public or private property; by repealing all acts or parts of acts in conflict herewith; by providing for effective date of act." Referred to Committee on Highways and Highway Transportation.

House Bill No. 159, introduced by McNally, Powers, Glancy: A bill for an act entitled: "An act to amend section 11-1806, Revised Codes of Montana, 1947, relating to the presentation and trial of charges brought against policemen; providing for fifteen (15) days' written notice of charges; for rules of evidence applicable to hearing; for judicial review of subpoena power of the police commission; for limitation of veto and modification power of the mayor; for judicial review of all questions of fact and law; for the types of municipalities and cities to which this section shall apply; providing for appeal for all suspensions of officers; for defining the word 'mayor', and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Affairs of Cities.

House Bill No. 160, introduced by Tonner, Holding, Karlberg, Emmons and by request to comply with recommendation of Chairman, State Board of Equalization. A bill for an act entitled: "An act to amend section 84-1502 of the Revised Codes of Montana, 1947, providing for deductions allowed in computing income for the purpose of the corporation license tax and providing for a limit upon the amount of depletion allowed for oil and gas and containing a repealing clause." Referred to Committee on Ways and Means.

House Bill No. 161, introduced by Moudree, Cerovski, Glead: A bill for an act entitled: "An act to amend section 26-202.3 of the Revised Codes of Montana, 1947, as enacted by section 3, chapter 267 of the Laws of the Thirty-fourth Legislative Assembly of the State of Montana of 1955, relating to definition of resident for purposes of fishing and hunting; to provide for the inclusion of the employees of certain government agencies; containing a repealing clause and providing an effective date." Referred to Committee on Fish and Game.

House Bill No. 162, introduced by Healy, Casey: A bill for an act entitled: "An act to authorize city councils in cities of the first class to levy not more than five (5) mills on all property within the city in addition to the maximum levies authorized by law, whenever the assessed valuation of said city falls below nineteen million dollars; and containing a repealing clause." Referred to Committee on Affairs of Cities.

House Bill No. 163, introduced by Wold, Barrett: A bill for an act entitled: "An act authorizing the establishment of temporary roadblocks on the highways of the State of Montana to apprehend criminals and check vehicles for safety equipment; by defining a temporary roadblock and the purpose for which it may be used; by providing minimum requirements in establishing temporary roadblocks and other matters properly relating thereto; by fixing penalty for violation of act; by repealing all acts or parts of acts in conflict herewith; by providing for effective date of act." Referred to Committee on Highways and Highway Transportation.

House Bill No. 164, introduced by Sheehy, Wright, DeWolfe: A bill for an act entitled: "An act to repeal sections 94-3557, and 94-3558 of the Revised Codes of Montana, 1947, relating to the admission of patients to hospitals, and criminal penalties." Referred to Committee on State Boards and Institutions.

House Bill No. 165, introduced by Sheehy, Jardine, Battin: A bill for an act entitled: "An act to amend section 48-118 of the Revised Codes of Montana, 1947, relating to consent of parents to marriage of minors; by providing for consent of father, mother, guardian or person under whose care and government such minor may be; providing that marriages contracted without such consent shall be voidable; and containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 166, introduced by Bradford, Babcock, Bentz, Reeder: A bill for an act entitled: "An act to amend section 31-125, Revised Codes of Montana, 1947, as amended by section 1, chapter 79, Laws of Montana, 1957, relating to the licensing of operators and chauffeurs; providing that persons who are engaged in a gainful occupation or business enterprise or persons who have resided in Montana for a period exceeding six (6) months must be licensed to drive motor vehicles under the laws of this state; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Substitute House Bill No. 60, introduced by the Committee on Highways and Highway Transportation: A bill for an act entitled: "An act to amend section 53-106.2 of the Revised Codes of Montana, 1947, as enacted by the Thirty-first Legislative Assembly of the State of Montana of 1957, relating to special motor vehicle license plates for amateur radio operators, to provide for written application, proof of licensing, and issuance of licenses in pairs; to amend section 53-106.3 of the Revised Codes of Montana, 1947, as enacted by the Legislative Assembly aforesaid, relating to issuance of said license, application and additional fee, to provide for issuance in pairs and increased fee; to amend section 53-106.4 of the Revised Codes of Montana, 1947, as enacted by the Legislative Assembly aforesaid, relating to rules and regulations and limit of number of plates, to provide for issuance of plates in pairs; to amend section 53-106.6 of the Revised Codes of Montana, 1947, as enacted by the aforesaid Legislative Assembly, relating to affixing said plates to cars, sale or transfer of auto and expiration or revocation, to provide that said plates shall replace the regular motor vehicle license plate on the vehicle and regulations in the event of transfer of auto or expiration of amateur license; providing a repealing clause and an effective date." Referred to Committee on Printing.

Senate Bill No. 10, introduced by Stein, Brownfield: A bill for an act entitled: "An act to amend section 23-1813, of the Revised Codes of Montana, 1947, relating to transmittal of election returns by clerks of county commissioners to the secretary of the state, to provide that said transmittal of said election returns shall be accomplished by certified mail; and providing a repealing clause." Referred to Committee on Townships and Counties.

Senate Bill No. 11, introduced by Stein, Brownfield: A bill for an act entitled: "An act to amend section 93-1509 of the Revised Codes of Montana, 1947, relating to county sheriffs summoning jurors, to provide that notice shall be accomplished by certified mail; and providing a repealing clause." Referred to Committee on Townships and Counties.

Senate Bill No. 12, introduced by Stein, Brownfield: A bill for an act entitled: "An act to amend section 84-710 of the Revised Codes of Montana, 1947, relating to the sending of notice of intention by the State Board of Equalization to change assessment of property, to provide that the State Board of Equalization shall send said notice by certified mail;

and providing a repealing clause." Referred to Committee on Townships and Counties.

Senate Bill No. 13, introduced by Hofland, Mahoney (Garfield), Cole, Robinson, Cotton and McKenna (Fergus): A bill for an act entitled: "An act relating to the distribution of monies received by the State of Montana under and by virtue of the flood control act of 1954 under title thirty-three (33) United States code annotated section 701-c-3; providing for the distribution of such monies by the state to the counties of Montana wherein such flood control land is situated; providing the counties receiving such monies shall expend fifty percent (50%) thereof for the benefit of the county common schools in the county wherein such flood control land is situated and fifty percent (50%) thereof for the benefit of the general public roads in the county wherein such flood control land is situated; providing and designating the funds into which such monies shall be distributed by the county concerned; providing for a repealing clause; and providing for an effective date of this act." Referred to Committee on Townships and Counties.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 11 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 73.

Noes: None.

Absent and not voting: Bardanouve, Battin, Casey, Felt, Fjare, Holtz, Jardine, McGarvey, Moudree, Regan, Sheehy. Total 11.

Excused: Abel, Angstman, Curry, Daniels, Gunderson, Hawks, Jensen, Page (Granite), Shelden, Woodring. Total 10.

House Joint Memorial No. 1 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fladager, Gerard, Gill, Glancy, Gleed, Haines (Prairie), Hanks, Harball, Healy, Holding, Higham, Holecek, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Parker, Picard, Powell, Powers, Raundal, Reeder, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 71.

Noes: Gilfeather, Haines (Missoula), Howard, McGaffick, Page (Missoula), Paulsen, Reinecke. Total 7.

Absent and not voting: Battin, Felt, Fjare, Holtz, McGarvey, Regan. Total 6.

Excused: Abel, Angstman, Curry, Daniels, Gunderson, Hawks, Jensen, Page (Granite), Shelden, Woodring. Total 10.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 50 and 90, and House Joint Memorials Nos. 2 and 3, beg leave to report that the same have this date been returned from the printer correctly printed.

DEVIER, Vice-Chairman.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Nelstead of Custer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 31 be passed for the day.

That Sub. House Bill No. 53 do pass.

That consideration of House Bill No. 57 be passed for the day.

That House Bill No. 59 do pass.

That consideration of House Bill No. 67 be passed for the day.

That House Bill No. 75 do pass.

That House Bill No. 76 do pass.

NELSTEAD, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 12, respectfully report as follows: That House Bill No. 12 do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 94, respectfully report as follows: That House Bill No. 94 do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 112, respectfully report as follows: That House Bill No. 112 do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 42, respectfully report as follows: That House Bill No. 42 be amended as follows:

Amend the title by striking out the words "a bill for" after the opening words "a bill for an act entitled:", and

Amend further by striking the words and figures "two dollars (\$2.00)"

on line 32, page 2 of the original bill, and inserting in lieu thereof the words and figures: "one dollar (\$1.00)";

And as amended, do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 105, respectfully report as follows: That House Bill No. 105 do not pass.

PICARD, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Gilfeather that the select committee for investigating the Bureau of Pardons and Paroles be granted additional time, until the Fiftieth Legislative Day, for making its report. Motion carried.

Motion was made by Gerard that House Bill No. 57, now on General Orders, be rereferred to the Committee on State Boards and Institutions. Motion carried.

Motion was made by Cerovski that House Bill No. 111 be taken from the Committee on Printing and rereferred to the Committee on Fish and Game. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure having been read at length, and referred to committees:

House Bill No. 167, introduced by the Committee on Education: A bill for an act entitled: "An act to amend section 75-2707, Revised Codes of Montana, 1947, as amended by Chapter 160, Laws of 1955; and section 75-2712, Revised Codes of Montana, 1947, relating to the minimum retirement benefits paid by the teacher's retirement system under the present system and under the former retirement system, to provide for an increase in the minimum annual retirement allowance." Referred to Committee on Education.

House Bill No. 168, introduced by the Committee on Education: A bill for an act entitled: "An act to amend section 75-2709 of the Revised Codes of Montana, 1947, relating to the method of financing the teacher's retirement system of the State of Montana; to provide for an increase in the employers' contribution to the pension accumulation fund; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 169, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the purchase of cumulative pocket supplements of 1959, for the Revised Codes of Montana, 1947." Referred to Committee on Appropriations.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Monday, January 26, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

TWENTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 26, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Anderson, Hawks, Jardine, Mernin, Page (Granite), and Woodring, excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twentieth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 59, 75, 76 and Sub. House Bill No. 53.

PARKER, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 44, respectfully report as follows: That House Bill No. 44 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 111, respectfully report as follows: That House Bill No. 111 be amended as follows:

Amend the title in lines 10 and 11 of the original bill by deleting the words "that morning doves be defined as migratory game birds:";

Amend the title further in line 13 of the original bill after the word "list" by deleting the semicolon ";" and adding the following: "and placing the fox on the predatory list";

Amend Section 1 in line 16 of page 2 of the original bill by striking out the words "and morning doves";

Amend the body of the bill after the word "bobcat" on line 25, page 2 of the original bill, by deleting the period "." and adding the words "and fox.";

And as so amended, do pass.

WAYRYNEN, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 24, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to, and the bill is herewith returned to the House.

House Bill No. 28 by Daniels.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 170, introduced by McGarvey, Holding, Barrett, Howard: A bill for an act entitled: "An act amending sections 75-4103 and 75-4104, of the Revised Codes of Montana, 1947, providing for the election and the term of office of county high school trustees, and stating the qualifications for voting at such election; providing for the nominations of the candidates for county high school boards, and for the procedures and regulations necessary for the calling and holding of the annual election of such county high school trustees, and for their assumption of office; and amending section 75-4105, of the Revised Codes of Montana, 1947, providing for the filling of vacancies on the county high school boards; and containing a repealing clause, and providing for an effective date." Referred to Committee on Townships and Counties.

House Bill No. 171, introduced by Picard, Gill, Cerovski, Strnisha: A bill for an act entitled: "An act to amend section 69-2701, of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 136, of the Montana Session Laws of 1957, relating to the definition of fireworks, to provide more adequate definition for fireworks for the purposes of this act; to amend section 69-2702 of the Revised Codes of Montana, 1947, and section 69-2704, of the Revised Codes of Montana, 1947, relating to the sale or use of fireworks as herein defined; to amend section 69-2706, of the Revised Codes of Montana, 1947, relating to penalties, to provide for penalties for violations of this act; containing a repealing clause." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 172, introduced by Livestock Committee: A bill for an act entitled: "An act to amend section 46-1005, Revised Codes of Montana, 1947, relating to the definition of 'estrays' in the livestock law; eliminating the phrase 'over one year' qualifying calf and colt; repealing conflicting acts; providing effective date." Referred to Committee on Livestock and Public Ranges.

House Bill No. 173, introduced by Walton, Nees, Powell, Langston: A bill for an act entitled: "An act to amend section 46-504, Revised Codes of Montana, 1947, relating to the licensing and inspection of meat by eliminating the words 'or for the use of himself and three (3) neighbors'; containing a repealing clause and effective date." Referred to Committee on Livestock and Public Ranges.

House Bill No. 174, introduced by Elting, Aasheim, Leuthold: A bill for an act entitled: "An act to amend section 46-609, Revised Codes of Montana, 1947, relating to the fees for recording marks and brands by increasing said fees; containing a repealing clause." Referred to Committee on Livestock and Public Ranges.

House Bill No. 175, introduced by Nees, Aasheim: A bill for an act entitled: "An act to amend section 75-4609, Revised Codes of Montana, 1947, relating to special levy elections in high school districts and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 176, introduced by Tonner, Wood, Langston, Emmons, Aasheim, Bardanouve, McOmber, Harball, Glancy, Eskildsen: A bill for an act entitled: "An act requiring every person, firm, co-partnership, association, joint stock company, syndicate and corporation engaged in working or operating any mine or mining property in the State of Montana from which sand, gravel, lignite, phosphate rock, stone, limestone, bentonite, barite, fluorspar, talc and clay are mined, produced or extracted, to pay to the State Board of Equalization for engaging in and carrying on such business, certain license taxes for the exclusive use and benefit of the State

of Montana; defining terms, fixing the amount of such license taxes; prescribing a method for the assessment and collection thereof; prescribing penalties for violations of the provisions of this act; and repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 177, introduced by Hanks, Babcock: A bill for an act entitled: "An act to require tow cars to be equipped with lights and warning devices for the protection of motorists; by prescribing the procedure for mounting and displaying such lights and warning devices; by providing that the operators of tow car must clean debris from roadway at accident scenes; by providing for warning devices on disabled vehicles being towed during hours of darkness; by fixing penalty for violation of act; by repealing all acts or parts of acts in conflict herewith; by providing for effective date of act." Referred to Committee on Highways and Highway Transportation.

House Bill No. 178, introduced by Hanks, Wood: A bill for an act entitled: "An act to amend section 31-156, Revised Codes of Montana, 1947, relating to parents or guardians allowing unlicensed minors to drive motor vehicles; prohibiting any person from allowing an unlicensed minor to drive a motor vehicle; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 59 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, Elting, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Haines (Prairie), Hanks, Harball, Holding, Higham, Holecek, Jensen, Karlberg, Kiff, Kolar, Lees, Loman, McGaffick, McGarvey, Morrison, Moudree, Nees, Nichols, Page (Missoula), Parker, Paulsen, Regan, Reinecke, Rindy, Sales, Sheehy, Sheldon, Sheldon, Tonner, Walton, Wood, Mr. Speaker. Total 58.

Noes: Barrett, DeWolfe, Emmons, Eskildsen, Gleed, Haines (Missoula), Healy, Howard, Kvaalen, Langston, Leuthold, Loughran, McNally, McOmber, Nelstead, Picard, Powell, Powers, Raundal, Schwinden, Shea, Wold, Wright. Total 23.

Absent and not voting: Bardanouve, Casey, Gunderson, Holtz, Reeder, Strnisha, Wayrynen. Total 7.

Excused: Anderson, Hawks, Jardine, Mernin, Page (Granite), Woodring. Total 6.

House Bill No. 75 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy,

Shelden, Sheldon, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 82.

Noes: None:

Absent and not voting: Bardanouve, Casey, Holtz, Page (Missoula), Reeder, Strnisha. Total 6.

Excused: Anderson, Hawks, Jardine, Mernin, Page (Granite), Woodring. Total 6.

House Bill No. 76 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 81.

Noes: Daniels, Holecek. Total 2.

Absent and not voting: Bardanouve, Casey, Holtz, Reeder, Strnisha. Total 5.

Excused: Anderson, Hawks, Jardine, Mernin, Page (Granite), Woodring. Total 6.

Sub. House Bill No. 53 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 84.

Noes: Haines (Prairie).

Absent and not voting: Casey, Holtz, Reeder. Total 3.

Excused: Anderson, Hawks, Jardine, Mernin, Page (Granite), Woodring. Total 6.

MOTIONS AND RESOLUTIONS

Motion was made by Gerard that House Bill No. 160, introduced yesterday and referred to the Committee on Ways and Means, be taken from that committee and referred to the Committee on Rules, Joint Rules and Order of Business. Motion carried.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 106, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 31 do pass.

That House Bill No. 33 do pass.

That House Bill No. 40 do pass.

That House Bill No. 46 do pass.

That House Bill No. 50 do pass.

That House Bill No. 67 do pass.

That House Bill No. 68 do pass.

That House Bill No. 73 be amended in section 1, in line 8 of the printed bill, being line 23 of the original bill, by inserting between the words "the" and "interest," the words "(matter deleted)";

And as so amended, that House Bill No. 73 do pass.

That House Bill No. 82 do pass.

That House Bill No. 90 do pass.

EMMONS, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 33, 50, 67, 68, 73 and 82.

PARKER, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 69, respectfully report as follows: That House Bill No. 69 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 135, respectfully report as follows: That House Bill No. 135 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 be amended by striking out, in lines 3 and 4 of the title, the following material: "to comply with recommendation of chairman, State Board of Equalization"; and that said House Bill be rereferred to the Committee on Ways and Means.

CEROVSKI, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Bradford that the select committee appointed to investigate the State Highway Department be given additional time up to and including the 58th Legislative Day to make its report. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 179, introduced by Leuthold, Regan: A bill for an act entitled: "An act to amend section 5-506 of the Revised Codes of Montana, 1947, relating to limitation on real estate loans by commercial banks, to provide for extending the duration of said loans to twenty (20) years under certain circumstances; and containing a repealing clause." Referred to Committee on Banking and Insurance.

House Bill No. 180, introduced by Tonner, Emmons, Holding, Karlberg, Glancy, Clowes, Barnard, Healy, Holtz, Mernin, McOmber, Eskildsen, Harball, Langston: A bill for an act entitled: "An act to amend section 70-106 of the Revised Codes of Montana, 1947, relating to power of Public Service Commission of Montana to ascertain property values; providing for establishment of rates and charges for public utilities by said commission based upon revenue requirements, investigation and evidence before the commission taking into consideration lawful annual operating expenses, capital investment and costs of capital in the public utility or similar public utilities; providing that any orders returning excessive revenues to such public utility shall be unlawful and unreasonable and containing a repealing clause." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 181, introduced by Leuthold, Regan: A bill for an act entitled: "An act to amend section 52-305 of the Revised Codes of Montana, 1947, relating to duration of liens of chattel mortgages, to provide for extending the time of the duration of the lien to three (3) years; and containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 182, introduced by Holding, Gunderson, Sheehy, Healy, Emmons: A bill for an act entitled: "An act to repeal sections 71-241, 71-244, 71-245, 71-246 and 71-248, Revised Codes of Montana, 1947, relating to liens upon the property of applicants for public assistance and to amend sections 71-243 and 71-247 Revised Codes of Montana, 1947, relating to recovery from the estate of a decedent who had received public assistance other than aid to dependent children or general relief and providing for preferred claims against the estate of decedent who was the recipient of public assistance other than aid to dependent children or general relief and setting forth when such preferred claim may be filed against the estate of the recipient by the State Board of Public Welfare; providing for the filing of certificates of public assistance by the county department of Public Welfare with the county clerk and recorder and making the filing of such certificate constructive notice as to the prior and superior claim of the State Board of Public Welfare upon the home and real property of decedent, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 183, introduced by Aasheim, Walton, DeWolfe, Kiff, Langston, Gerard, Morrison: A bill for an act entitled: "An act providing for the construction, furnishing and equipping a livestock sanitary board diagnostic laboratory building in Gallatin County, Montana; authorizing the State Board of Examiners to issue and sell bonds for such purpose; designating the funds from which said bonds shall be paid; providing for an interest and sinking fund; approving expenditures of \$100,000.00 from the Livestock Sanitary Board fund 151; pledging amounts to meet principal and interest on said bonds from the levy imposed by section 84-5211, RCM, 1947; providing a repealing clause and effective date of this act." Referred to Committee on Appropriations.

House Bill No. 184, introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend section 25-232, Revised Codes of Montana, 1947, and section 25-233, Revised Codes of Montana, 1947, relating to the fees to be collected by the clerks of the District Courts and providing for the disposition of such fees and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 185, introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend section 82-503, Revised Codes of Montana, 1947, relating to the fees to be collected by the clerk of the Supreme Court; providing for the disposition thereof; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 186, introduced by Gilfeather, Moudree: A bill for an act entitled: "An act to amend section 52-112 of the Revised Codes of Montana, 1947, relating to power of sale of mortgaged property, to provide for public sale after proper notice; containing a repealing clause and providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 187, introduced by Felt, Wood: A bill for an act entitled: "An act to amend section 84-2006 of the Revised Codes of Montana of 1947, relating to computation and notice of metalliferous mines' license tax and providing that the same is due and payable on the thirtieth day of June following certification of the tax due to the state treasurer and to amend section 84-2007 of the Revised Codes of Montana of 1947 relating to penalty in case of delinquent license taxes and providing that all license taxes assessed under this act shall become delinquent on the thirtieth day of June following assessment and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 188, introduced by McOmber, McNally, Walton, Elting: A bill for an act entitled: "An act creating and establishing a Montana state game wardens' retirement system; defining the terms 'accumulated deductions,' 'beneficiary,' 'retired state game warden,' 'board,' 'contributor,' 'final salary,' 'actuarial equivalent,' 'fund,' 'involuntary retirement,' 'member's annuity,' 'optional retirement age,' 'retirement age,' 'retirement allowance,' 'state annuity,' 'state game warden'; creating a Montana state game wardens' retirement board; providing for payments into the Montana game wardens' retirement fund; providing the board may establish rules and regulations for proper administration, operation and enforcement of this act; defining who shall be members of said retirement system; creating a state game wardens' retirement fund; providing for contributions by members of the Montana state game wardens; providing for contributions by the State of Montana; providing for retirement, voluntary retirement, retirement allowance, disability retirement allowance, involuntary retirement allowance, refunds in case of resignation or discharge, payments upon death, payments in case of death from natural causes; providing for monthly payments of retirement allowances; providing for the exemption from taxes and execution of member's annuity; providing for the manner of designating beneficiaries; providing for service in the armed forces of the United States; prohibiting fraud and providing for the manner of correcting errors; providing for restrictions on payments to beneficiaries;

providing for the subrogation of the State of Montana to the rights of the members or dependents against certain third parties; providing for payments under other laws; providing for optional retirement allowances; providing that each game warden shall be ineligible to membership in state public employees' retirement system; providing that the constitutional provisions of this act are severable; providing this act shall be in full force and effect from and after its passage and approval; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Fish and Game.

House Bill No. 189, introduced by Daniels (by request): A bill for an act entitled: "An act to be known as the Montana water well drillers act; declaring that the drilling or making of water wells in Montana is a business affecting the public interest and health; creating the water well drillers examining board of the State of Montana, providing for its members, terms, oath, seal and employees; providing for the powers and duties of the board; providing for the issuance of licenses by the board and fees to be charged therefor; providing for the term of the license year; providing for examination and qualifications of applicants for licenses; providing for revocation and suspension of licenses; providing for appeals from decisions of the board; providing for responsibility of land owners to comply with this act; repealing acts or parts of acts in conflict herewith; providing an effective date of the act." Referred to Committee on Irrigation and Water Conservation.

House Bill No. 190, introduced by Daniels: A bill for an act entitled: "An act to amend section 16-1001, Revised Codes of Montana, 1947, relating to powers of supervision of boards of county commissioners; providing that the board of county commissioners shall have power to pay proper charge for insurance providing indemnity to any county officer against liability for loss, without fault, of money, securities or other property; repealing acts or parts of acts in conflict herewith; providing act to be effective upon passage and approval." Referred to Committee on Townships and Counties.

House Bill No. 191, introduced by Sheehy, Regan, Page (Missoula): A bill for an act entitled: "An act to amend section 68-102, Revised Codes of Montana, 1947, as amended by section 1, chapter 92, Laws of Montana, 1955 relating to definitions of terms used in the public employees' retirement act by re-defining the terms 'public agency' and 'state employee'; to amend section 68-203, Revised Codes of Montana, 1947, as amended by section 3, chapter 92, Laws of Montana, 1955, relating to whom are ineligible for membership in the public employees' retirement system; to amend section 68-701, Revised Codes of Montana, 1947, as amended by section 2, chapter 176, Laws of Montana, 1953, and section 5, chapter 92, Laws of Montana, 1955, relating to the management of the retirement fund with respect to the refund of member's contributions; to amend section 68-801, Revised Codes of Montana, 1947, as amended by section 5, chapter 186, Laws of Montana, 1951, and section 1, chapter 35, Laws of Montana, 1955, relating to voluntary service retirements with respect to the effective date thereof; and to amend section 68-901, Revised Codes of Montana, 1947, as amended by section 6, chapter 186, Laws of Montana, 1951, relating to the minimum guarantee by providing a minimum guarantee for all members eligible for retirement at the age of seventy (70) years; and providing that invalidity of a part of this act shall not affect or impair the remainder, that this act shall become effective upon its passage and approval, and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 192, introduced by McGarvey: A bill for an act entitled: "An act to amend section 75-104, of the Revised Codes of Montana, 1947, relating to the officers of the State Board of Education; providing for the election of a chairman thereof from among the appointed members of said board and for such other officers as may be necessary for the effective

administration of the university system." Referred to Committee on Education.

House Bill No. 193, introduced by McGarvey: A bill for an act entitled: "An act to amend section 75-301, of the Revised Codes of Montana, 1947, relating to the general control of state institutions; providing to the general control and supervision of units of the university system in the State Board of Education." Referred to Committee on Education.

House Bill No. 194, introduced by McGarvey: A bill for an act entitled: "An act to amend section 75-107 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 92 of the Montana Session Laws of 1951, as amended by section 2, chapter 236 of the Montana Session Laws of 1953 relating to the powers and duties of the State Board of Education; providing that the State Board of Education shall serve ex officio as regents of the University of Montana; providing that the University of Montana is constituted a body corporate and politic; providing that the executive secretary of the University of Montana shall serve as the secretary for the board sitting as the university regents, and providing for an effective date." Referred to Committee on Education.

House Bill No. 195, introduced by McGarvey: A bill for an act entitled: "An act to amend section 4-403 of the Revised Codes of Montana, 1947, as amended, relating to the limitation of the number of retail liquor licenses that may be issued by the Montana Liquor Control Board in incorporated cities and towns and in areas outside incorporated cities and towns; deleting the provisions that veterans' organizations and fraternal organizations are not to be governed by such limitations; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Liquor Control.

House Bill No. 196, introduced by McNally, Powers, Glancy: A bill for an act entitled: "An act to amend section 16-3706 of the Revised Codes of Montana, 1947, relating to the number of deputy treasurers, assessors, auditors and county attorneys; and providing for an effective date of act." Referred to Committee on Townships and Counties.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 31, 40 and 90.

PARKER, Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriation measure at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 33 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Broeder, Casey, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Langston, Lees, Leuthold, Loughran, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Nestead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wood, Wold, Mr. Speaker. Total 66.

Noes: Babcock, Battin, Bentz, Cavan, Curry, Felt, Fladager, Gleed, Haines (Prairie), Kiff, Kolar, Kvaalen, Loman, Morrison, Powell, Regan, Reinecke, Sales, Walton, Wright. Total 20.

Absent and not voting: Bradford, McGaffick, Wayrynen. Total 3.

Excused: Anderson, Hawks, Jardine, Page (Granite), Woodring, Total 5.

House Bill No. 50 was passed by the following vote:

Ayes: Aasheim, Abel, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reinecke, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 72.

Noes: Angstman, Babcock, Corcoran, Curry, Gilfeather, Haines (Prairie), Haines (Missoula), Hanks, Morrison, Nichols, Powell, Reeder, Regan, Sales, Shea. Total 15.

Absent and not voting: Bardanouve, McGaffick. Total 2.

Excused: Anderson, Hawks, Jardine, Page (Granite), Woodring. Total 5.

House Bill No. 67 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Haines (Prairie), Haines (Missoula), Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 82.

Noes: Angstman, Bashor, Corcoran, Gunderson, Hanks, Parker. Total 6.

Absent and not voting: McGaffick. Total 1.

Excused: Anderson, Hawks, Jardine, Page (Granite), Woodring. Total 5.

House Bill No. 68 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 86.

Noes: Angstman. Total 1.

Absent and not voting: McGaffick, Picard. Total 2.

Excused: Anderson, Hawks, Jardine, Page (Granite), Woodring. Total 5.

House Bill No. 73 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 86.

Noes: Daniels. Total 1.

Absent and not voting: Angstman, McGaffick. Total 2.

Excused: Anderson, Hawks, Jardine, Page (Granite), Woodring. Total 5.

House Bill No. 82 was passed by the following vote:

Ayes: Angstman, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 81.

Noes: Bardanouve, Daniels. Total 2.

Absent and not voting: Aasheim, Abel, Gerard, Gilfeather, McGaffick, Powell. Total 6.

Excused: Anderson, Hawks, Jardine, Page (Granite), Woodring. Total 5.

House Bill No. 31 was passed by the following vote:

Ayes: Aasheim, Angstman, Babcock, Bardanouve, Barnard, Barnes, Battin, Bentz, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, DeWolfe, Emmons, Felt, Fjare, Gerard, Gill, Glancy, Gleed, Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nichols, Page (Missoula), Paulsen, Powell, Powers, Reeder, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Mr. Speaker. Total 66.

Noes: Barrett, Bashor, Bradford, Broeder, Devier, Elting, Eskildsen, Fladager, Gilfeather, Gunderson, Haines (Prairie), Jensen, Nees, Nelstead, Parker, Raundal, Regan, Sales, Sheldon, Wright. Total 20.

Absent and not voting: Abel, McGaffick, Picard. Total 3.

Excused: Anderson, Hawks, Jardine, Page (Granite), Woodring. Total 5.

House Bill No. 40 was passed by the following vote:

Ayes: Aasheim, Barnard, Bashor, Casey, Cerovski, Clowes, Corcoran, Daniels, Devier, Elting, Eskildsen, Felt, Gilfeather, Glancy, Gunderson, Harball, Healy, Holtz, Jensen, Karlberg, Lees, Loman, McGarvey, McNally, McOmber, Mernin, Moudree, Nelstead, Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Sheldon, Tonner, Walton, Wayrynen, Wood, Wold, Mr. Speaker. Total 43.

Noes: Angstman, Babcock, Bardanouve, Barnes, Battin, Bentz, Bradford, Broeder, Cavan, Curry, DeWolfe, Emmons, Fjare, Fladager, Gerard, Glead, Haines (Prairie), Haines (Missoula), Hanks, Holding, Higham, Holecek, Howard, Kiff, Kolar, Kvaalen, Leuthold, Loughran, Morrison, Nees, Nichols, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Shea, Sheehy, Strnisha, Wright. Total 41.

Absent and not voting: Abel, Barrett, Gill, Langston, McGaffick. Total 5.

Excused: Anderson, Hawks, Jardine, Page (Granite), Woodring. Total 5.

House Bill No. 90 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Paulsen, Picard, Powell, Powers, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright. Total 79.

Noes: Hanks, Moudree, Parker, Raundal, Reeder, Sheehy, Sheldon, Mr. Speaker. Total 8.

Absent and not voting: Daniels, McGaffick. Total 2.

Excused: Anderson, Hawks, Jardine, Page (Granite), Woodring. Total 5.

REPORTS OF SELECT COMMITTEES

Report of the Special Investigating Committee of the State Purchasing Department:

We, your Investigating Committee of the State Purchasing Department, do hereby make the following report. The particular items given consideration were as follows: bidding practices, complaints of suppliers, confirming requisitions, and personnel.

BIDDING PRACTICES

The State Purchasing Department made purchases in excess of \$20,000,000 for all departments and units of the state during the last biennium. By constitutional and legislative provisions, these purchases were to be made by competitive bid; awards being made to the lowest responsible bidder, with certain preference for Montana firms. In general, the Purchasing Department has carried out these directives but there are important exceptions.

Under the spirit of our laws, it is intended that all state purchasing, except in emergency instances, be accomplished through open, competitive

bidding among suppliers. Only in this way can the state achieve quality of merchandise, work, or supplies, and at the same time protect the public pocketbook.

An essential duty of the personnel of the purchasing division in the state controller's office then is to achieve in every way possible the invitation of bids by responsible suppliers in accordance with the strictest practice of integrity. Conversely, it is an abrogation of such duty if the Purchasing Department, or an employee therein, permits or participates in methods designed to or resulting in the elimination of honest, open competitive bidding.

WIRED BIDS

Your committee has found that in at least one instance relating to printing, an employee of the Purchasing Department permitted an employee of the Highway Department to devise specifications on a bid call so that only one bidder could have been successful under the specifications. Thus open competitive bidding, though ostensibly adhered to, was in effect eliminated. Fortunately this particular situation was discovered, and the bid call withdrawn. It is the feeling of this committee that the situation arose because of a desire on the part of the individual involved to achieve quality that might not have been obtainable in Montana. Quality alone must not be the paramount consideration. Quality obtained at free and open competitive bids is the mandate of the statutes. This situation of rigging the specifications so as to make a "wired bid," in the parlance of the trade, could soon render the purchasing laws meaningless. It is a clear violation of the intent and spirit of the bidding system. We do not condone it, for it should not have happened, not even once.

RENEGING ON BIDS

Your committee found an instance where bids had been called on a printing project and sealed bids were submitted by three bidders. This low bidder, after the sealed bids were opened in the office of the controller and when he had knowledge of what the other bids were, complained that he had overlooked a delivery date and that overtime labor would be necessary to complete the printing project. The low bidder stated that this would cause him additional cost and that he did not wish to complete the printing job on the basis of his sealed bid. He was allowed to telephone to his plant foreman to determine the amount of overtime and as a result the low bid was increased by \$773.00 to a sum just under the second low sealed bid. The contract, however, was awarded to the low bidder with the adjustment made for overtime. Thus the low bidder was allowed to renege on his original low bid and to adjust his price upward so as to still get the printing contract and not "leave so much on the table."

Your committee believes that the purchasing employees should carefully preserve the system of sealed bids. In no instance should a bidder be allowed to change his bid after opening. Forfeitures for renegeing on low bids in purchases over \$100.00 should be enforced to prevent "sand-bagging" or "high-low" bidding, and again to preserve the intent of the purchasing laws. Your committee does not condone the practice of offering the contract to the next lowest bidder, when the lowest bidder reneges. If the lowest bidder fails to perform, the forfeitures should be imposed and the entire contract re-let.

COMPLAINTS OF SUPPLIERS

When your committee first met with the personnel of the Purchasing Department, the committee requested to be advised of complaints of suppliers. We were told that there were no complaints. Our investigation has uncovered some complaints. We cannot, without undue expense, determine the extent or number of complaints because the Purchasing Department records are such that each bid call and suppliers file would have to

be examined. These amount to thousands. We recommend that the Purchasing Department keep a correspondence and memorandum file for each biennium that would refer to the complainant by alphabetical order and the disposition of their complaints. In this way, future investigations, if any, can save much time, and the Purchasing Department itself would be apprised of the current practices of its employees.

CONFIRMING REQUISITIONS

The statutes of the State of Montana expressly provide: "The state officers, superintendents, commissioners, departments or institutions, shall not have the authority to purchase any supplies or material, except on approval of the state purchasing agent." There are two exceptions to this general rule: (1) Emergency purchases which are restricted to fresh fruits and vegetables and other minor purchases, and (2) Immediate delivery required by public exigencies.

Regular requisitions are supposed to be the rule. Confirming requisitions under the emergency or immediate delivery provisions, the exception.

In dollar volume, regular requisitions represent the major segment of purchasing. The Purchasing Department has developed an adequate system of bid calls on quarterly or annual basis for a wide range of supplies. These seem to work satisfactorily. For other items which might be needed, departments send regular requisition forms to the Purchasing Department. It must be noted that in no case will the department approve any requisition if there are not appropriated funds available.

Our state boards and institutions, particularly Montana State College and Montana State University units, have been abusing the emergency and immediate delivery exceptions.

For example, on March 13, 1956, Montana State University ordered, from Chicago, Illinois, without consulting the State Purchasing Department, \$867.60 worth of meat. On April 13, 1956, the Purchasing Department contended that these purchases were not an emergency which would permit the purchases without competitive bidding and disapproved the confirming requisition. The only excuse that the State University could offer was that the meat was purchased for special meat cutting classroom demonstrations and later used in the resident halls. No reason was offered as to why the meat was not purchased locally and no excuse was offered for the violation of the State Purchasing regulation. On April 17, 1956, the State Board of Examiners overruled the State Purchasing Department and approved the claim. The reasons for their actions do not appear.

This abuse of the confirming requisitions has happened not only once but many times. Another instance is an item of \$396.00 for four sets of booths for the language department at Montana State University. In a letter to the State Purchasing Agent, Mr. Swearingen, the maintenance engineer, said he had asked the language department to check with Mr. Hightower to be sure that what he proposed was satisfactory to them . . . The next thing he knew, there they were. Such items as resurfacing parking lots at Montana State University have been considered by the university units as emergency situations. This has been approved in the amount of \$1,492.55 by rubber stamp of the State Board of Examiners.

A summary of the Montana State University requisitions examined for the period between March 26, 1958 through May 31, 1958, was made by a certified public accountant and this summary is attached to this report and marked Exhibit A. Your committee would particularly like to call the attention of the Legislature to the item in the amount of \$7,037.95 for direct purchases of nonperishable food and restaurant supplies not under contract. We would also like to call to the attention of the House the barbeque pits in the amount of \$1,316.93.

A summary of department requisitions is also attached with this showing that the confirming requisitions in the departments examined just about half of total dollar volume.

Our investigation turned up individual confirming; i.e., emergency, requisitions in excess of \$11,000.00 and many in the area of \$1,000.00 to \$5,000.00. These requisitions were not approved by the Purchasing Department, in the first instance, but were forwarded to the State Board of Examiners. According to testimony, no requisition has ever been disapproved by the Board of Examiners. However, in only a very few instances did the Purchasing Department mark the order with their disapproval or attach a memo giving the reasons for disallowing the requisition. Justifiably or not, the personnel of the Purchasing Department have been operating under the conviction that their discretion would be overruled by the State Board of Examiners in the event they disapproved the confirming requisition, so why should they incur the wrath of the head of the particular board or institution. Consequently, a looseness of practice has developed in connection with confirming requisitions.

Your committee has met with the present State Board of Examiners and they said that their work load is so great that they simply do not have time to investigate the merits of each one of these purchasing requisitions. They have to rely entirely upon the statements of the board or department head as to whether the materials, services, or supplies are actually needed. The State Board of Examiners has had to sit for a period of as much as three hours three times each week and do nothing but sign their names. It is because of this serious loss of time that a facsimile signature stamp procedure was developed by the State Board of Examiners. A member of the State Board of Examiners has taken the position that in view of the fact that they do not have the time to investigate the merits of these claims individually, the use of the facsimile signature stamp has allowed the board or department head an out and there has been erosion of executive responsibility at the department head level. The department head, when questioned closely as to the inadvisability of any particular expenditure, can always point to the facsimile stamp and say that "We had the consent of the State Board of Examiners."

The fault really lies with the state board, agency, or institution that unlawfully makes the purchase. Once the purchase is made both the Purchasing Department and the State Board of Examiners feel that the state is stuck. The vendor is usually an innocent party and deserves to be paid.

The Purchasing Department has sent numerous letters of complaint to the boards and institutions involved, trying to improve their buying habits. It would certainly help the situation if the State Board of Examiners would forcefully call regulations to the attention of the heads of the various state boards and institutions.

When real emergencies exist there is justification for the use of confirming requisitions. Furthermore, when such purchases are made under existing bid contracts the state does not suffer. When, however, purchases are made by departments or units when there is no emergency nor need for immediate delivery, then the statutory insistence on competitive bidding is being denied and the will of the Legislature thwarted.

PERSONNEL

The following report and conclusions are necessarily tentative due to the brief time available for the survey. This is a record of impressions rather than of established facts.

RECRUITING

Mr. Koch personally does all of the recruiting, but consults with Mr.

Francis or Mr. Lee before confirming a selection. In view of the small recruiting load, this seems satisfactory.

Mr. Koch states that he selects from voluntary applications and from State Employment Service referrals. This was generally confirmed by statements of the individual employees. He generally requires prospective employees to submit to a qualifying examination given by the State Bureau of Personnel, which serves the "Merit System" agencies. Although employee interviews indicated two cases in which examinations were not taken, no indications were noted that any selection was influenced by any consideration other than an honest attempt to secure a qualified employee.

EMPLOYEE QUALIFICATIONS

Each employee was asked to give a brief statement of his education and qualifying experience. No attempt was made to verify these statements. However, based solely on these verbal statements, all meet or exceed the minimum education and experience requirements of the U. S. Civil Service Commission for equivalent positions.

DEPARTMENT ORGANIZATION

Clear lines of authority, accurate statements of duties and responsibilities and systematic inspection and review to assure prompt detection of substandard performance and equally prompt recognition of superior accomplishment are all prerequisites of good personnel management. All three appeared markedly deficient.

Considering first the matter of lines of authority, Mr. Koch stated at first that F. P. Francis, assistant controller, was the senior employee in the Purchasing Department. Later he indicated that Mr. Francis and E. G. Lee were independent heads of their respective branches of the work. Lee asserted that he was in charge of all branches of purchasing. He qualified this, however, by stating his relations with Francis were in the nature of coordinating conferences. Francis clearly does not regard himself as in any way subordinate to Lee. He claims no authority over Lee, however, except when he assumes the duties of controller in the absence of Mr. Koch.

One of the claims auditors felt she had two "bosses"—Mr. Lee and Mr. Koch. The other stated she never had been told to whom she was responsible. She was inclined to regard Mr. Lee as her immediate superior since he checks attendance and related matters. The other employees were clear as to their immediate superiors.

No employee ever had been given a clear statement of his duties and responsibilities. In fact, it is hard to determine just how the division of duties came about. For example, one claims auditor said she found out what her duties were from her predecessor. Equalization of work load appears to rest entirely on voluntary cooperation. In theory, when work "peaks up" at one desk, others pitch in to dispatch it. Asked if Mr. Lee or Mr. Francis exercised any control of work flow, the answers were negative. Answers to questions as to how well this "voluntary" system worked seemed evasive and caused us to suspect the need for supervisory control.

It was consistently stated that there were no regular or periodic checks of work performance, qualitative or quantitative. There is no effort made to inform employees as to "how they stand." Presumably, seriously deficient performance in such a small unit would be noted. However, without a regular system of supervisory review and appraisal, considerable malingering is possible; and it is equally possible for outstanding work to go unrecognized.

SALARY ADMINISTRATION

It is elementary that salaries should be related to the difficulty or

complexity of work done and to the weight of responsibility. The more skill that is required or the greater the responsibility assumed, the higher the pay should be. In this office the salaries of the women employees range from \$225.00 to \$300.00 per month. These salaries do not appear to be based upon complexity of work or weight of responsibility, while in other instances there are some employees whose position titles are more important than the type of work they are doing, and their higher salaries could be misinterpreted. The converse of this is equally true.

EMPLOYEE TURNOVER

The study of statements of the terminated employee witnesses has revealed that in some instances valuable employees who have been trained through years of experience have been lost to the department because of the lack of a systematic personnel program.

In one instance, an over-heavy work load with no relief in sight caused a valuable woman employee to seek employment elsewhere. Another who had been employed for some twenty-three years was dissatisfied when new girls were hired at the same salary which she was getting after twenty-three years' experience. In another instance, lack of grading of positions (classification) was the cause of discontent.

In some of these witness statements, it could be readily seen that these employees knew and understood the procedures of the Purchasing Department in a measure that would take several years of training for new people to replace. The value of experience that was gained by on-the-job training had been lost because of lack of personnel management.

GENERAL COMMENTS

The foregoing comments, while critical, are not intended in any way to reflect on the character, integrity or ability of anyone in the Purchasing Department. It would obviously be presumptuous to attempt to pass judgment on any individual on such a brief contact.

The points criticized are matters very commonly observed both in governmental and private business. The Little Hoover Commission task force observed similar practices in a large majority of our state departments and institutions. The blame, if one wishes to place it, probably is chiefly on our general failure in Montana to prescribe basic personnel policies and to provide specialized personnel service. One cannot properly blame busy men, hired as specialists in some business, profession, or technology, if they are not also specialists in the techniques of personnel management.

RECOMMENDATIONS BIDDING PRACTICES

1. The statutes of the State of Montana require that purchases are to be made upon competitive bid and the awards made to the lowest responsible bidder. The State Purchasing Department has no right to show any partiality or favoritism in making such contracts and awards except that where both the bids and the quality of goods offered are the same, preference shall be given to domestic producers and preference shall be given to resident bidders.

2. If the lowest bidder fails to perform, we recommend that forfeitures be imposed and that the entire contract be re-let.

COMPLAINTS OF SUPPLIERS

1. We recommend that the Purchasing Department keep a correspondence and memorandum file for each biennium that would clearly reflect the complaints made to the Purchasing Department. This file should be kept in alphabetical order and the disposition of the complaints shown.

CONFIRMING REQUISITIONS

1. Your committee recommends that confirming requisitions be made by the various departments, boards, and institutions of the State of Montana only in the cases provided by the statutes. Departments and units should be required to conform to the intent of section 82-1919, RCM 1947 with respect to "emergency" purchases. Lack of planning should not be construed as an emergency.

2. Requisition of items purchased that are not under state contract should be clearly differentiated by means of color or stamp.

3. Purchases made by confirming requisition that do not meet the approval of the Purchasing Department should be plainly stamped disapproved before being sent to the Board of Examiners. The reasons for such disapproval should be explained in accompanying letter.

4. We recommend that the State Board of Examiners should not overrule the actions of the Purchasing Department without use of extreme caution and without having completely investigated the merits of the claim.

5. We recommend that legislation relieving the State Board of Examiners of the duty to pass upon requisitions and placing the duty in the offices of the state controller be made. We recommend that until such proposed legislation is enacted into law, the foregoing recommendations be followed.

PERSONNEL

1. The present recruiting practices appear sound and should be continued; however, it is recommended that there be no exceptions made to the requirement that applicants pass a suitable qualifying examination.

2. Organization.

a. Recommended that there be prepared for each separate position a clear statement showing the duties and responsibility of that employee in detail. This statement should show precisely to whom the employee is responsible and to whom (if any) he gives supervision.

b. Supervisory employees should be instructed to give special attention to work flow and distribution to assure more nearly equal work loads. Voluntary cooperation is commendable and to be encouraged but it should not be relied upon as a substitute for continuous close supervision.

c. Greater attention should be given to appraising both the quality and the quantity of work performed by each employee. This should be followed by corrective action or commendation as the facts indicate.

3. We recommend that following the preparation of the statements recommended under 2 (a) above, salaries should be studied and if need be, revised to assure equal pay for equal work. Equal work means work of the same or closely equivalent difficulty and complexity, and/or of similar weight of responsibility. Reasonable and limited increments for seniority and increasing proficiency are approved practice. However, substantial salary differentials between people performing generally equivalent work are very destructive for morale; this is particularly true when they disregard seniority or are not very clearly related to merit.

We, your Special Investigating Committee of the State Purchasing Department do hereby respectfully submit the foregoing report to the House of Representatives.

SUMMARY OF MONTANA STATE UNIVERSITY
REQUISITIONS EXAMINED

Exhibit A

Period March 26, 1958 through May 31, 1958

	No. of Purchase Orders		No. of Requisitions		Total Purchases	
	Period of Examination	Year Ended 6/30/58	Period of Examination	Year Ended 6/30/58	Period of Examination	Year Ended 6/30/58
Regular						
Requisition:						
Bid basis	57		41		\$ 50,274.43	
Quotation basis	30		30		5,312.29	
Totals	87	973	71	746	55,586.72	
Confirming						
Requisitions:						
Under \$50.00 per purchase order	356		33		4,950.45	
Over \$50.00 per purchase order	114		75		*22,888.36	
Totals	470	2296	108	583	27,838.91	
TOTALS	557	3269	179	1329	\$83,425.53	\$871,969.47

*ANALYSIS OF CONFIRMATION REQUISITIONS

EXAMINED IN DETAIL:

Purchases where prices covered by existing contract	\$ 4,794.07
Small individual purchases not considered expedient to price on bid basis	1,476.29
"Emergency" repairs and equipment	2,339.71
Direct purchases of nonperishable food and restaurant sup- plies—not under contract	7,037.95
Perishable food purchases	1,699.61
Transformer rental—skating rink—Montana Power	135.00
Seeds and seedlings purchased to fill orders at University Nursery	1,228.00
Capital items purchased (approved after purchase by Board of Examiners):	
Cabinet Work	\$ 630.00
Frigidaire Refrigerator	134.50
Paving for Parking lot	1,996.30
Floor sander (no approval noted)	100.00
Unclassified:	
Barbeque pits for National Convention	1,316.93
TOTAL	\$22,888.36

SUMMARY OF DEPARTMENT REQUISITIONS
EXAMINED

Exhibit B

Year Ended June 30, 1958

	Number of Requisitions	Number of Purchase Orders	Total Cost
State Unemployment Compensation Commission:			
Regular Requisitions	191	193	\$119,311.83

Confirming Requisitions	97	461	49,689.90
TOTALS	288	654	\$169,001.73
Industrial Accident Board:			
Regular Requisitions	66	60	\$ 41,547.95
Confirming Requisitions	85	322	22,401.50
TOTALS	151	382	\$ 63,949.45
Superintendent of Public			
Instruction:			
Regular Requisitions	271	369	\$ 39,631.39
Confirming Requisitions	101	303	15,628.82
TOTALS	372	672	\$ 55,260.21

McGARVEY, Chairman,
ANGSTMAN, Vice-Chairman,
CURRY,
SCHWINDEN,
PAGE (Missoula),
LOMAN.

Motion was made by McGarvey that the committee report be adopted, and that it be spread on the Journal in its entirety. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration House Bill No. 110, respectfully report as follows: That House Bill No. 110 be amended as follows:

On line 18, page 1, in the title of the original bill, strike the words "common school fund" and insert in lieu thereof the words "land sales petty cash fund"; and

Further amend on line 28, page 2, of the original bill, by striking the words "common school fund" and insert in lieu thereof the words "land sales petty cash fund," and

As amended, do pass.

STRNISHA, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Elting that House Bill No. 93 be taken from the Committee on Printing and rereferred to the Committee on Public Health, Morals and Safety. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cеровski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 91 do pass.

That House Bill No. 96 be amended in the title in line 10 of the

original bill by inserting after the word "act" the following words "containing a repealing clause and providing an effective date"; and as so amended, do pass.

That House Joint Resolution No. 1 do pass.

That House Joint Memorial No. 2 do pass.

That House Joint Memorial No. 3 do pass.

EMMONS, Chairman.

Report adopted.

Motion was made by Cеровski that the House adjourn until 10:00 a.m., Tuesday, January 27, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

TWENTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 27, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Anderson and Reeder, excused, and Daniels, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-second Legislative Day, find the same to be correct.

ESKILSEN, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 46, 91, 96, House Joint Resolution No. 1, and House Joint Memorials Nos. 2 and 3.

PARKER, Chairman.

COMMUNICATIONS AND PETITIONS

The following telegram was received from the Hon. Lee Metcalf, member of Congress:

January 26, 1959.

Rep. John MacDonald, Speaker,
House of Representatives,
State of Montana,
Helena, Montana.

Montana delegation has just been informally advised that FCC will modify its 31 December order relative VHF-TV booster to provide for six months rather than 90 days in which to change over to UHF. Commis-

sioners also have agreed to look toward statutory amendment to permit licensing of low-power facilities such as boosters. Regards.

LEE METCALF,
Member of Congress.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 6, respectfully report as follows: That House Bill No. 6 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 104, respectfully report as follows: That House Bill No. 104 be amended as follows:

In line 20 of page 1 of the original bill following the word "jurisdiction" by changing the ";" to a ":";

In line 24 of page 2 of the original bill by deleting the figure "7" and changing the "t" in the word "the" to a capital "T";

In line 24 of page 2 of the original bill by inserting before the word "the" the following words "in criminal proceedings";

In line 24 of page 2 of the original bill by inserting the word "police" following the word "the," and as so amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 152, respectfully report as follows: That House Bill No. 152 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 157, respectfully report as follows: That House Bill No. 157 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 165, respectfully report as follows: That House Bill No. 165 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 13, respectfully report as follows: That House Bill No. 13 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 98, respectfully report as follows: That House Bill No. 98 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 47, 103, 41, 94, 112, 122 and 12, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

MESSAGES FROM THE SENATE

January 26, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 32 by Nixon et al.

Senate Bill No. 35 by Thiessen et al.

Senate Joint Memorial No. 1 by Beley et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

January 26, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 38 by Kvaalen et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

January 26, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and not concurred in and the bill is herewith returned to the House:

House Bill No. 23 by Eskildsen and Bardanouve.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second time, and referred to committees:

House Joint Memorial No. 7, introduced by Tonner, McGarvey, Harball, Sheldon (Flathead), Broeder, McOmber, Langston, Eskildsen, Bardanouve: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the President of the United States, Dwight D. Eisenhower; the Congress of the United States; James E. Murray and Mike Mansfield, Senators from the State of Montana; Lee Metcalf and LeRoy Anderson,

Representatives in Congress from the State of Montana; the Committee on Public Works of the United States Senate; the Committee on Public Works of the United States House of Representatives; the Committee on Appropriations of the United States Senate; the Committee on Appropriations of the United States House of Representatives; Interior Committees; the Secretary of the Army, Wilber M. Brucker, the Chief of the Corps of Engineers, Department of the Army, Major General E. C. Itschner; the Secretary of the Interior, Fred Seaton; the Commissioner of the Bureau of Reclamation, W. A. Dexheimer; and the Director of the Budget, Maurice H. Stans, requesting the introduction and enactment into law of the necessary and proper legislation to authorize construction by the federal government of Glacier View Dam on the North Fork of the Flathead River in the State of Montana and to authorize that sufficient appropriations be provided for the detailed planning and construction of Glacier View Dam. Referred to Committee on Constitutional Amendments and Federal Relations.

House Joint Memorial No. 8, introduced by Tonner, Sheldon (Flathead), Shea, Rindy, Broeder, Powers: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the President of the United States, Dwight D. Eisenhower; the Congress of the United States; James E. Murray and Mike Mansfield, Senators from the State of Montana; Lee Metcalf and LeRoy Anderson, Representatives in Congress from the State of Montana; the Committee on Public Works of the United States Senate; the Committee on Public Works of the United States House of Representatives; the Committee on Appropriations of the United States Senate; the Committee on Appropriations of the United States House of Representatives; the Committee on Interior and Insular Affairs of the United States Senate; the Committee on Interior and Insular Affairs of the House of Representatives; the Secretary of the Interior, Fred A. Seaton; the Commissioner of Reclamation, Wilbur A. Dexheimer; and the Director of the Budget, Maurice H. Stans; urging authorization of the transmountain diversion of the Middle Fork of the Flathead River to the South Fork of the Flathead River at the Spruce Park site above the Hungry Horse Dam, and requesting sufficient appropriations so that detailed planning and design work can begin immediately. Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 197, introduced by Abel, Healy, Schwinden, Battin: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana, amending section 6 of article XVI of said constitution, relating to the authorization of the Legislative Assembly to provide for the election or appointment of county, township, precinct and municipal officers not otherwise in the constitution provided as public convenience may require increasing the limit of time of office from two years to four years." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 198, introduced by Sheehy, Battin: A bill for an act entitled: "An act to amend section 93-8007, Revised Codes of Montana, 1947, providing for a stay of execution in appeals from judgments or orders directing the payment of money; providing for an undertaking on appeal from judgments and orders directing the payment of money, and prescribing the provisions and contents thereof." Referred to Committee on Judiciary.

House Bill No. 199, introduced by Sheehy, Felt, Angstman, Page (Missoula): A bill for an act entitled: "An act to amend section 82-107, Revised Codes of Montana, as enacted by chapter 194, Laws of Montana, 1951, increasing the salary of the state controller from \$7,000.00 per annum to \$9,600.00 per annum; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Appropriations.

House Bill No. 200, introduced by Tonner, Haines (Missoula), Barnard,

Cerovski, Felt, Gerard, Barrett, Broeder: A bill for an act entitled: "An act to authorize the incorporation of development credit corporations for the purpose of promoting, developing, and advancing the prosperity and economic welfare of the state." Referred to Committee on State Boards and Institutions.

House Bill No. 201, introduced by Gunderson: A bill for an act entitled: "An act to amend subsection (5) of section 23-929, Revised Codes of Montana, 1947, relating to the meeting of the County Central Committee and the organization of said committee." Referred to Committee on Privileges and Elections.

House Bill No. 202, introduced by Parker, McOmber: A bill for an act entitled: "An act to amend section 75-2901 Revised Codes of Montana, 1947, as amended by chapter 53, laws of 1955, relating to compulsory school attendance and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 203, introduced by Cavan, McGaffick, Barnard, Curry, Howard: A bill for an act entitled: "An act to amend section 94-4106 of the Revised Codes of Montana, 1947, prohibiting lewd and lascivious acts upon or with the body of children under the age of sixteen (16) years, providing an effective date and repealing all acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 204, introduced by Holtz, Lees, Tonner, Haines (Missoula), Paulsen: A bill for an act entitled: "An act authorizing officers and employees of the State of Montana to enter into group insurance contracts for the benefit of such officers, employees, and their dependents; authorizing the state auditor to deduct the premiums therefor, not to exceed ten dollars per month, from such officers' or employees' salary; repealing acts in conflict and providing an effective date." Referred to Committee on State Boards and Institutions.

House Bill No. 205, introduced by Daniels (by request): A bill for an act entitled: "An act validating certain instruments affecting real property, which were erroneously executed or acknowledged, notice imparted by recording thereof, and providing that duly certified copies thereof may be read in evidence, with like effect as copies of an instrument duly executed, acknowledged and recorded; and containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 206, introduced by Daniels (by request): A bill for an act entitled: "An act validating certain instruments affecting real property which omit address of grantee, mortgagee or assignee—and providing that copies of such may be used as evidence; and containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 207, introduced by Daniels (by request): A bill for an act entitled: "An act to cure defects in deeds and conveyances heretofore made to real property that are defective in execution or acknowledgment; and containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 208, introduced by Wood, Barnard, Nelstead, Schwinden: A bill for an act entitled: "An act to amend section 70-103 of the Revised Codes of Montana, 1947, relating to public utilities and providing for classifying community antenna service or microwave service, when a toll, fee, or other charge, direct or indirect, is made for the privilege of transporting to or viewing television in homes or other places of abode, to companies furnishing community antenna service as a public utility." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 209, introduced by Wood: A bill for an act entitled: "An act to amend section 97, chapter 263, Laws of Montana, 1955, relating to the authority of officers or highway patrolmen to remove illegally

stopped vehicles; providing officers or highway patrolmen with authority to remove unattended or abandoned vehicles to a garage or other place of safety: (1) Whenever any vehicle is left unattended on a bridge or causeway or in any tunnel, (2) Whenever any vehicle is illegally parked so as to block the entrance to a private driveway or so parked as to prevent access by fire-fighting equipment, (3) Whenever any stolen or embezzled vehicle is found on a highway or the right of way thereof, (4) Whenever any vehicle upon a highway is so disabled as to constitute a hazard and the person in charge of such vehicle is incapacitated because of physical injuries, (5) Whenever an officer or highway patrolman arrests any person driving or in control of a vehicle, (6) Whenever any vehicle, except any highway maintenance or construction equipment is left unattended for more than twenty-four (24) hours upon any public highway or the right of way thereof, provided, however, that disabled trucks or truck trailer combinations which have been safeguarded as required by section 148, chapter 263, laws of 1955, as amended, shall not be removed for a period of seventy-two (72) hours unless such vehicle or vehicles have been left unattended in such a location or position on the highway which creates a hazard to other users of the highway, (7) Whenever any vehicle has been abandoned or left unattended upon any private property adjacent to a public highway and the owner or person in control of such property has requested such vehicle to be removed, and (8) Whenever any vehicle has been left unattended upon any roadway or portion thereof and such vehicle causes an obstruction or creates a hazard for other users of the highway; requiring officers or highway patrolmen to notify owners, if possible, of such removed vehicles; providing that the registrar of motor vehicles will assist to locate and notify owners which cannot be located by officers or highway patrolmen; providing that proprietors or owners of garages or other places of storage who have a lien dependent upon his possession for his compensation for towage, caring for and keeping safe such vehicle, may satisfy his lien in the manner as is provided in sections 45-1106, 45-1107, 45-1108, 45-1109 and 45-1110, Revised Codes of Montana, 1947, provided such vehicle has been stored, cared for or in safe keeping for a period of ninety (90) days and has not been recovered by the owner or the owner is unknown; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 210, introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend section 25-501, Revised Codes of Montana, 1947, relating to salaries of state officers." Referred to Committee on Judiciary.

House Bill No. 211, introduced by Holding, Karlberg: A bill for an act entitled: "An act to amend section 53-108 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 244 of the Montana Session Laws of 1955, as amended by section 1, chapter 146 of the Montana Session Laws of 1957, relating to renewal of registration of motor vehicles; to provide for varying expiration and renewal dates; to amend section 53-114, as amended by section 1, chapter 195 of the Montana Session Laws of 1953, as amended by section 1, chapter 256 of the Montana Session Laws of 1955, as amended by section 1, chapter 223 of the Montana Session Laws of 1957, relating to application for registration of motor vehicles and payment of license fees; to provide for varying assessment dates; providing for various periods of registration and assessments; providing for commencement dates of registration; to amend section 84-406 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 256 of the Montana Session Laws of 1955, relating to time for assessments to be made; to provide for the assessment of vehicles to conform to the provisions of this act; repealing all acts and parts of acts in conflict herewith, and providing an effective date." Referred to Committee on Highways and Highway Transportation.

House Bill No. 212, introduced by Wood, Howard: A bill for an act entitled: "An act to provide for the stamping or labeling the date of freezing on all frozen foods sold, or offered for sale, within the state; pro-

viding that such stamping or labeling must be affixed by the processor at the time of freezing; providing for the administration of this act; providing that no frozen food shall be sold, or offered for sale, in this state without said stamping or label; providing a penalty; containing a repealing clause and providing for an effective date." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 213, introduced by Gerard, Langston, Gleed, Walton, Wood, Kiff, Elting: A bill for an act entitled: "An act to amend section 26-104 of the Revised Codes of Montana, 1947, relating to powers and duties of the State Fish and Game Commission, to provide for the acquisition of lands or waters by exchange, to eliminate condemnation as a power of the commission, and to provide for a hearing prior to the acquisition of lands or waters; containing a repealing clause." Referred to Committee on Fish and Game.

House Bill No. 214, introduced by Gunderson, Picard, Parker, Bardanoue, Strnisha, McGaffick, Higham, Tonner, Harball, Sheldon (Flathead), McNally, Kvaalen, Powers, Eskildsen, Nees, Shelden (Lincoln), Wood, Barnard, Holtz, Gilfeather, McOmber, Cavan: A bill for an act entitled: "An act to authorize and direct that the State Highway Commission acquire a tract of school land in Cascade County to be used for public recreation purposes; allowing the commission to accept gifts for the purchase and management of the tract, appropriating gifts to be received, and setting an effective date, providing a repealing clause." Referred to Committee on Highways and Highway Transportation.

House Bill No. 215, introduced by Hawks: A bill for an act entitled: "An act to amend section 32-1014, Revised Codes of Montana, 1947; providing it shall be unlawful to dump garbage upon or near a highway; providing a penalty for violation thereof; including public property; providing for enforcement by sheriffs, policemen, highway patrol, game wardens and other enforcement agencies of the state; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 216, introduced by Nichols, Strnisha: A bill for an act entitled: "An act to change the name and broaden the authorization of the horticulture branch experiment station; providing that the State Board of Education may accept real and personal property to carry out the expressed function of this act; and containing a repealing clause." Referred to Committee on Agriculture, Dairying and Horticulture.

House Bill No. 217, introduced by Tonner, Strnisha, Holtz, Emmons, Parker, Sheldon (Flathead), Harball, Langston, Page (Granite), Jensen, Clowes, Shelden (Lincoln), Holding: A bill for an act entitled: "An act providing the right of the people in a local county or district to form public utility districts by election and with local autonomy in district affairs; providing for formation, organization, powers, financing, consolidation of public utility districts; providing for local election of commissioners for administration of districts, appointment of qualified managers; providing for development on a district wide basis to benefit all inhabitants, rural and urban, and establishment of rates on a uniform and non-discriminatory basis; providing for payment of taxes to local and state governments, and schools; providing for placement of service above profit in utility services; providing for conservation of water and power resources of the State of Montana for benefit of the people thereof; providing for severability, rule of construction, and repealing conflicting acts." Referred to Committee on Public Utilities and State Commissions.

Senate Bill No. 32, introduced by Nixon, Lehrkind, McDonnell: A bill for an act entitled: "An act to amend section 93-1401, R.C.M. 1947, as amended by chapter 133, Laws of the Thirty-first Legislative Assembly of the State of Montana, 1949, relating to jury lists, by whom and when to

be made, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 35, introduced by Thiessen, Cotton, Brenner, Grandey, and Mannix: A bill for an act entitled: "An act to amend section 75-4230, Revised Codes of Montana, 1947, relating to the attendance of high school pupils outside of county of residence and providing for an increase in tuition rates for children attending high schools in counties other than the counties of the children's residence and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

Senate Joint Memorial No. 1, introduced by Beley, Harken, Nixon, Mahoney (Sanders), Groff, Lacombe, Keister, Bovey, Lehrkind, McGowan, Grandey, Goodwin, Hofland, Hibbs, Streeter, Spear, Anderson (Wibaux), Siderius, Clark, Reardon, Mannix, Hagenston, Wilson, Rice, Cole, Cumming, Durkee, Minette, Cotton, Grant, Thiessen, Stein, McKenna (Judith Basin), Brenner, James, Scofield, Mackay, Brownfield, Robinson, Mahoney (Garfield), Sagunsky, Ruane, Manning, Rieder, Anderson (Lincoln), Ringling, Michels, McKenna (Fergus), Nees, Balgord, Dussault, McDonnell: A Joint Memorial by the Senate of the Thirty-sixth Legislative Assembly of the State of Montana, the House of Representatives concurring, to the Congress of the United States; the Honorable James E. Murray, United States Senator from Montana; the Honorable Mike Mansfield, United States Senator from Montana; the Honorable Lee Metcalf, Congressman from Montana; the Honorable LeRoy Anderson, Congressman from Montana; and the Federal Communications Commission to take such remedial action as deemed necessary to preclude the closing of very high frequency booster stations necessary for television reception in areas of the State of Montana. Referred to Committee on Constitutional Amendments and Federal Relations.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 46 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 85.

Noes: Elting. Total 1.

Absent and not voting: Daniels, Felt, Haines (Missoula), Holtz, Tonner, Wayrynen. Total 6.

Excused: Anderson, Reeder. Total 2.

House Bill No. 91 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar,

Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Daniels, Haines (Missoula), Moudree, Tonner, Wayrynen. Total 5.

Excused: Anderson, Reeder. Total 2.

House Bill No. 96 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Daniels, Haines (Missoula), Moudree, Picard. Total 4.

Excused: Anderson, Reeder. Total 2.

House Joint Resolution No. 1 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 89.

Noes: Wayrynen. Total 1.

Absent and not voting: Daniels, Picard. Total 2.

Excused: Anderson, Reeder. Total 2.

House Joint Memorial No. 2 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Langston, Lees,

Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 82.

Noes: Haines (Missoula), Holecek, Kiff, Kvaalen, Loman, Page (Missoula), Sales, Walton, Wright. Total 9.

Absent and not voting: Daniels. Total 1.

Excused: Anderson, Reeder. Total 2.

House Joint Memorial No. 3 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Holding, Higham, Holtz, Jardine, Jensen, Karlberg, Langston, Lees, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nichols, Page (Granite), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 71.

Noes: Angstman, Elting, Felt, Gerard, Haines (Missoula), Hawks, Holecek, Howard, Kiff, Kolar, Kvaalen, Leuthold, Loman, Nelstead, Page (Missoula), Reinecke, Sales, Walton, Wright. Total 19.

Absent and not voting: Daniels, McGaffick. Total 2.

Excused: Anderson, Reeder. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

McGarvey of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 20 do pass.

That House Bill No. 1 be amended in the Title on line 11 of the original bill by inserting after the word "compensation" the words "providing an effective date and containing a repealing clause";

And as so amended, do pass.

McGARVEY, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 1 and 20.

PARKER, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 114, respectfully report as follows: That House Bill No. 114 be amended as follows:

Amend the body of the bill in paragraph 2 of section 1, on lines 20 and 21 of the original bill, after the word "system," by deleting the words "or to applicants in order of application,";

And as so amended, do pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 179, respectfully report as follows: That House Bill No. 179 do pass.

REGAN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Felt that the Senate be requested to return House Bill No. 40 to the House. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

House Joint Memorial No. 9, introduced by Haines (Missoula), Howard, Page (Missoula), Holding, Karlberg: A Joint Memorial of the Senate and the House of Representatives of the State of Montana to the President of the United States; to the Congress of the United States; to the Secretary of Defense and the Department of Defense; to the Honorable United States Senators James E. Murray and Mike Mansfield; and to the Honorable Representatives in Congress Lee Metcalf and LeRoy Anderson; requesting that the Department of Defense activate and utilize the facilities of Fort Missoula at Missoula, Montana, as a regular army post, or if such is not presently possible, to keep said post intact, maintained and under consideration for future use. Referred to Committee on Military Affairs.

House Joint Memorial No. 10, introduced by Abel, Strnisha, Holecek, MacDonald, Karlberg, Barrett, Mernin, Holtz, McOmber: A Joint Memorial of the House of Representatives and the Senate of the State of Montana to the Congress of the United States; to the Honorable James E. Murray and the Honorable Mike Mansfield, Senators from the State of Montana; the Honorable Lee Metcalf and the Honorable LeRoy Anderson, representatives in Congress from the State of Montana; and to the Committee on Military Affairs, Washington, D. C., urging that the Congress of the United States enact legislation granting pensions to World War I veterans as heretofore done for the Spanish-American veterans and veterans of other prior wars of the United States. Referred to Committee on Military Affairs.

House Bill No. 218, introduced by Jensen, Emmons: A bill for an act entitled: "An act to repeal section 94-3573, Revised Codes of Montana, 1947, which prohibits the showing or exhibition of any scenes or pictures depicting burglaries, train robberies or other acts which would constitute

a felony, providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 219, introduced by Nelstead: A bill for an act entitled: "An act validating certain instruments affecting real property and which were erroneously executed or acknowledged, notice imparted by recording thereof, and providing that duly certified copies thereof may be read in evidence, with like effect as copies of an instrument duly executed, acknowledged and recorded and containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 220, introduced by Jardine, Lees, Haines (Missoula): A bill for an act entitled: "An act to amend sections 75-1305 and 75-1308 of the Revised Codes of Montana, 1947, relating to the furnishing of school laws to school officers by the Superintendent of Public Instruction; providing that the Superintendent of Public Instruction shall furnish copies of the school laws of the state, at cost, to any school trustee, superintendent, clerk, principal, or other officer requiring the same; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 221, introduced by Barrett, Langston, Bentz, Gill: A bill for an act entitled: "An act to amend section 66-229 of the replacement volume of the Revised Codes of the State of Montana, 1947, as enacted in section 10, chapter 111 of the laws of 1955, relating to exemption from the auctioneers and auction sales act, to provide for the exemption of individuals maintaining an established place of business and inventory of goods and upon which county personal property taxes have been assessed." Referred to Committee on Townships and Counties.

House Bill No. 222, introduced by Broeder, Sales, Holtz: A bill for an act entitled: "An act to amend section 66-817 Revised Codes of Montana, 1947, to provide penalties and injunctive relief for practicing cosmetology without a license or teaching cosmetology without a license or for failing to keep pricing agreements as provided by section 66-806, Revised Codes of Montana, 1947, and to make it unlawful to violate the provisions of sections 66-801, through 66-818, as amended, and amending section 66-815, Revised Codes of Montana, 1947, for the purpose of providing for licensing a person to practice cosmetology and charging a fee therefor and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 223, introduced by Battin: A bill for an act entitled: "An act to prohibit political activity of highway patrolmen; containing a repealing clause." Referred to Committee on Highways and Highway Transportation.

House Bill No. 224, introduced by Battin: A bill for an act entitled: "An act providing that a course in American history and government shall be taught in all accredited elementary, junior high and high schools in the State of Montana from grade seven through twelve inclusive, providing a repealing clause." Referred to Committee on Education.

House Bill No. 225, introduced by Battin: A bill for an act entitled: "An act to amend section 11-2008 (a) Revised Codes of Montana, 1947, as amended by chapter 75, laws of 1957, relating to fire protection districts by authorizing county commissioners to contract for private fire service protection and that such contracts shall be on the basis of an independent contractor; and to amend section 11-2010 (a), Revised Codes of Montana, 1947, as amended by chapter 75, laws of 1953, relating to fire district trustees by authorizing county commissioners to contract with a city, town or private fire company to furnish fire protection within the district; containing a repealing clause." Referred to Committee on Townships and Counties.

House Bill No. 226, introduced by Bradford, Regan, Gilfeather, Mernin, Holtz, Gunderson: A bill for an act entitled: "An act to amend section 16-2414 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 199 of the Montana Session Laws of 1957, relating to the hours when certain county officers shall keep their offices open; to provide such offices may be closed on Saturdays; to provide when justices of the peace shall keep their offices open; containing a repealing clause, and providing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 227, introduced by Felt, Regan, Howard: A bill for an act entitled: "An act to amend section 71-405 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 155, laws of 1949, as amended by section 18, chapter 199, laws of 1957, relating to the county share of participation in old age assistance grants; to amend section 71-508 of the Revised Codes of Montana, 1947, as amended by section 6, chapter 71, laws of 1957, relating to the county share of participation in aid to dependent children grants; to amend section 71-611, Revised Codes of Montana, 1947, as amended by section 2, chapter 155, laws of 1949, as amended by section 32, chapter 199, laws of 1951, and as amended by section 8, chapter 71, laws of 1957, relating to the county share of participation in aid to needy blind grants; to amend section 71-1206, enacted as section 6, chapter 160, of the Session Laws of the Thirty-second Legislative Assembly of the State of Montana, 1951, as amended by section 10, chapter 71, laws of 1957, relating to the county share of participation in aid to the permanently and totally disabled grants; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

House Bill No. 228, introduced by Wood, Bradford, Schwinden, Clowes, Bardonouve, Aasheim, Barrett, Healy, Barnard, Holtz, Gunderson, Barnes, Gilfeather, Holecek, Nees, Eskildsen, Hanks, Jardine, McOmber, Tonner, Harball, Abel, Picard, Emmons, Jensen, Mernin, Wayrynen, Gill: A bill for an act entitled: "An act imposing taxes in consideration of the use of the public highways of Montana by motor vehicles; defining the terms person, motor vehicle, commission, farm vehicle and logging vehicle; making it unlawful to use the public highways of the state without first securing a use permit; providing rate schedules; providing for special mobile equipment; providing the method for obtaining a use permit; providing the dates upon which the taxes imposed are due, and the place of payment; granting to the State Highway Commission power to issue temporary use permits; providing the method of making returns; fixing liability for taxes upon the carrier and owner; providing certain exceptions in the case of special kinds of trailing units, for persons entitled to reciprocity, for operators of certain interstate fleets; providing for trip permit; giving the State Highway Commission power to determine the tax due; providing for hearings in the commission; providing an exclusive method for the judicial review of decisions of the commission; providing procedures for the collection of taxes due and vesting power in the commission to issue certificates which when filed have the status of judgments of the District Courts; providing for liens on motor vehicles for unpaid taxes and providing the method of foreclosure of such liens and the priority thereof; providing for the revocation of registrations of motor vehicles for non-payment of taxes; providing the method of serving notices and process and for the appointment of the secretary of state as an agent upon whom notice or process may be served; providing for interest and penalties, both civil and criminal, for violations of the act and rules enacted pursuant thereto; giving justice and District Courts concurrent jurisdiction of misdemeanors committed under the act; providing that violations of the act are in part committed in Helena; providing for the prosecution of violations by the attorney general and the county attorneys; providing for refunds; giving the State Highway Commission powers to administer and enforce the act, require security for the payment of taxes due or to be due, to make rules for its own procedures, to designate ports of entry, to appoint deputies, to generally make rules for the enforcement and ad-

ministration of the act; providing for the disposition of revenues received under the act; providing for severability; regulating the transfer of use permits; limiting municipal taxation of motor vehicles; providing a short title; repealing certain acts and parts of acts and saving the penalties under repealed acts; providing for an effective date." Referred to Committee on Highways and Highway Transportation.

House Bill No. 229, introduced by Sales, DeWolfe, Clowes, Morrison, Langston, Jensen, Picard, Lees, Wood, Abel, Bardanouve, Curry, Elting, Shea, Angstman, Broeder, Felt, Cavan: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to section two (2) of article nine (IX) of the Constitution of Montana, relating to the qualifications of electors. Referred to Committee on Constitutional Amendments and Federal Relations.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

The title and history of House Bill No. 1 having been read, a motion was made by Gerard for a Call of the House and that there be fifteen seconds. There being sufficient seconds the Speaker ordered a Call of the House. Motion was made by Gerard that progress having been shown, the Call of the House be dispensed with. Motion carried.

House Bill No. 1 failed to pass by the following vote:

Ayes: Abel, Bardanouve, Barrett, Barnard, Bradford, Cerovski, Devier, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Harball, Healy, Holding, Holecek, Holtz, Jensen, Karlberg, Langston, McGarvey, McNally, McOmber, Page (Granite), Parker, Picard, Powers, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 36.

Noes: Aasheim, Angstman, Babcock, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Haines (Prairie), Haines (Missoula), Hanks, Hawks, Higham, Howard, Jardine, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Walton, Woodring, Wright. Total 52.

Paired: Emmons, aye; Anderson, no. Mernin, aye; Glead, no.

Absent and not voting: Daniels. Total 1.

Excused: Reeder. Total 1.

House Bill No. 20 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Bradford, Casey, Cerovski, Clowes, Devier, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holtz, Jardine, Karlberg, Langston, McGaffick, McGarvey, McNally, McOmber, Nees, Nichols, Page (Granite), Parker, Picard, Powers, Raundal, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 45.

Noes: Angstman, Babcock, Barnes, Bashor, Battin, Bentz, Broeder, Cavan, Corcoran, Curry, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Haines (Prairie), Hawks, Higham, Holecek, Howard, Jensen, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, Morrison, Moudree, Nelstead, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Shea, Walton, Woodring, Wright, Haines (Missoula). Total 43.

Paired: Emmons, aye; Anderson, no. Mernin, aye; Gleed, no.

Absent and not voting: Daniels. Total 1.

Excused: Reeder. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

McGarvey of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 69 be amended in Section 1 by striking out in lines 6, 7, 8 and 9 the following words "be not less than" and inserting in lieu thereof the words "not exceed"; and as amended, do pass.

That House Bill No. 106 do pass.

That Senate Amendments to House Bill No. 36 be concurred in.

McGARVEY, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Amendments to House Bill No. 38 were concurred in by the following vote:

Ayes: Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 78.

Noes: None.

Absent and not voting: Aasheim, Abel, Bradford, Corcoran, Daniels, Gleed, Jensen, Kiff, Mernin, Moudree, Nees, Nichols, Strnisha, Wold. Total 14.

Excused: Anderson, Reeder. Total 2.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Wednesday, January 28, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

TWENTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 28, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Anderson and McNally, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-third Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 22, 27, 165, 152, 110, 135, 42 and Substitute House Bill No. 60, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bill correctly enrolled: House Bill No. 28.

JARDINE, Chairman.

I have examined House Bill No. 28, introduced by me and find the same to be correct.

DANIELS.

The Speaker signed House Bill No. 28 in open session, the title having first been read.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 69 and 106.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 128, respectfully report as follows: That House Bill No. 128 do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying, and Horticulture, having had under consideration House Bill No. 87, respectfully report as follows: That House Bill No. 87 be amended as follows:

By inserting on line 13 in the title of the original bill, the word "farm" immediately following the word "all";

On line 14 of the title of the original bill, by inserting the word "noxious" following the word "transporting";

On line 17 of the title of the original bill, by striking the words "a portion of";

Further amend on line 30, page 2 of the original bill, by inserting after the word "all" the word "farm";

Further amend on line 30, page 2, by inserting the word "noxious" following the word "transporting";

Further amend on line 31, page 2, following the word "Montana" by striking the following words "including combines, hay balers and other agricultural machinery";

And further amend on line 6, page 3 of the original bill, following the word "defray" by striking the words "a portion of";

And as so amended, do pass.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 88, respectfully report as follows: That House Bill No. 88 do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 172, respectfully report as follows: That House Bill No. 172 do pass.

LANGSTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 173, respectfully report as follows: That House Bill No. 173 do pass.

LANGSTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 do pass.

LANGSTON, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Townships and Counties, having had under consideration House Bill No. 16, respectfully report as follows: That House Bill No. 16 do pass.

GILL,
BARRETT,
RINDY,
AASHEIM,
NELSTEAD,
FLADAGER,
WRIGHT.

Motion was made by Nelstead that the Majority report be adopted.

Mr. Speaker: We, the Minority of your Committee on Townships and Counties, having had under consideration House Bill No. 16, respectfully report as follows: That House Bill No. 16 do not pass.

HOLTZ,
SHEEHY,
SCHWINDEN,
NEES,
PICARD.

Substitute motion was made by Sheehy that the Minority report be adopted. Motion failed to carry.

Substitute motion was made by Sheehy that further consideration of House Bill No. 16 be indefinitely postponed. Motion lost.

Original motion for adoption of the Majority Committee report carried. Report adopted.

Mr. Speaker: We, the Majority of your Committee on Townships and Counties, having had under consideration House Bill No. 17, respectfully report as follows: That House Bill No. 17 do pass.

GILL,
BARRETT,
RINDY,
SCHWINDEN,
NELSTEAD
FLADAGER,
WRIGHT.

Motion was made by Nelstead that the Majority Committee report be adopted.

Mr. Speaker: We, the Minority of your Committee on Townships and Counties, having had under consideration House Bill No. 17, respectfully report as follows: That House Bill No. 17 be amended as follows:

Strike the word and figure "eight (8)" in line 6 of the title of the original bill and insert in lieu thereof the word and figure "four (4)";

And further amend on line 17 of the original bill, page 1, by striking the word and figure "eight (8)" and insert in lieu thereof the word and figure "four (4)";

And as amended, do pass.

HOLTZ,
SHEEHY,
NEES,
AASHEIM,
PICARD.

Substitute motion was made by Sheehy that the Minority Committee report be adopted. Motion failed to carry.

Original motion for adoption of the Majority Committee report carried. Report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 28, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 10:45 a.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 29, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

MESSAGES FROM THE SENATE

January 27, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as

amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 37 by Kvaalen et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

January 27, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill and House Joint Resolution were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 26 by Glancy et al.

House Joint Resolution No. 2 by MacDonald, Cerovski.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

January 27, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 36 by Thiessen et al.

Senate Substitute for Senate Bill No. 4 by Committee on State Boards, Offices and Buildings.

Senate Bill No. 9 by Cumming et al.

Senate Bill No. 56 by Mahoney (Sanders), Cumming.

Senate Bill No. 48 by Cumming, Thiessen.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 6, 114, 104, 80 and 111, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Regan that House Bill No. 29 be taken from the House and be rereferred to the Committee on Ways and Means. Motion carried.

Motion was made by Wayrynen that House Bill No. 188 be taken from the Committee on Fish and Game and referred to the Committee on Social Security. Motion carried.

Motion was made by Barrett that House Bill No. 12 be taken from

General Orders and rereferred to the Committee on Education. Motion carried.

Motion was made by Cerovski that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 159, respectfully report as follows: That House Bill No. 159 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Employment, recommend that the following be employed by the House:

As Stenographers.....	Mrs. C. Yvonne Warren Shirley A. Davy Myrtle O'Leary
As Janitors.....	Jerry Buni Ronald Williams

The following names are to be deleted:

As Clerks.....	Kenneth Sheehan James McRae
As Janitors.....	James Dennehy William McGee Patrick Moran
As Nightwatchman.....	Raymond Tracy

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 85, respectfully report as follows: That House Bill No. 85 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 148, respectfully report as follows: That House Bill No. 148 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 196, respectfully report as follows: That House Bill No. 196 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 182, respectfully report as follows: That House Bill No. 182 do pass.

PICARD, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

January 28, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 43 by Clark, Ruane.

Senate Bill No. 30 by Anderson (Lincoln) et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

January 28, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that in accordance with your request, we are herewith returning to you House Bill No. 40 for your further consideration.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Eskildsen that House Bill No. 40 be taken from the House and rereferred to the Committee on State Boards and Institutions.

Substitute motion was made by Felt that House Bill No. 40 be placed on Third Reading. Motion failed to carry.

Original motion of Eskildsen carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees, appropriation measures having been read at length:

House Memorial No. 2, introduced by DeWolfe, Bardanouve, Sales, Gerard, Langston, Nees, Harball, McOmber, Bashor, Hawks: A Memorial of the House of Representatives of the State of Montana to the President of the United States of America, Dwight D. Eisenhower, the Congress of the United States, Senator James E. Murray, Senator Mike Mansfield, Rep-

representative Lee Metcalf, Representative LeRoy Anderson, and Ezra T. Benson, Secretary of Agriculture, urging an embargo on beef cattle, excepting registered cattle, during the fall market season of September, October and November. Referred to Committee on Livestock and Public Ranges.

House Bill No. 230, introduced by Anderson, Felt, Gerard, Cavan, Angstman: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to article VIII of the Constitution of the State of Montana relating to the selection of justices of the Supreme Court of the State of Montana and providing for the repeal of sections 6, 7 and 8 of article VIII of the Constitution of the State of Montana and the enactment of a new section 6 of article VIII of said constitution; providing the tenure of judges serving on the Supreme Court at the time of the approval of this amendment and those judges elected in the general election of 1960; specifying when vacancies occur on the Supreme Court; providing that vacancies on the court be filled by appointment by the Governor from a list of persons selected by a judicial commission; creating a judicial commission and specifying the composition thereof and the qualifications of the members thereof; providing the terms of office of Supreme Court judges appointed by the Governor hereunder; providing the method of election of Supreme Court judges after the expiration of the terms for which they are appointed or elected following appointment; prohibiting Supreme Court judges from running for public office or engaging in political campaigns; specifying the eligibility of persons for appointment to the Supreme Court; providing that the Legislature may provide by law for the compulsory retirement of judges of the Supreme Court; amending section 34 of article VIII of said constitution by striking therefrom the words 'justice of the Supreme Court'; amending section 35 of article VIII of said constitution to permit district judges to serve on the judicial commission; repealing all laws and parts of laws in conflict and providing an effective date." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 231, introduced by Cavan, Regan, Jardine: A bill for an act entitled: "An act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen, and to make uniform the law with reference thereto." Referred to Committee on Judiciary.

House Bill No. 232, introduced by Cavan, Battin, Glead: A bill for an act entitled: "An act to repeal sections 61-127 to 61-137, both inclusive of the Revised Codes of Montana, 1947, relating to the adoption of children; to amend section 61-205 of the Revised Codes of Montana, 1947, enacted as section 5 chapter 240 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, to provide that consent to adoption need not be required from a father or mother divorced and who has not contributed to the support of the child for a period of one year; to amend section 61-210 of the Revised Codes of Montana, 1947, enacted as section 10, chapter 240 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to summary decree of adoption, to provide that the report specified in the previous section remains discretionary; to amend section 61-211 of the Revised Codes of Montana, 1947, enacted as section 11, chapter 240 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to interlocutory and final decrees of adoption, to provide that proper notices be given of the hearing before an interlocutory or summary decree of adoption may be issued; to amend section 61-140 of the Revised Codes of Montana, 1947, relating to procedure for adopting an adult, to provide for proper procedure for adoption of an adult; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 233, introduced by Felt, Sheehy: A bill for an act

entitled: "An act to amend section 91-2406 of the Revised Codes of Montana, 1947, as amended by chapter 14 of 1951 Montana Session Laws, relating to estates not exceeding fifteen hundred dollars to provide that such estates shall be distributed to the widow or to the minor children, and relating to estates not exceeding three thousand dollars and providing for the summary distribution thereof to the widow or to the minor children without the requirement of giving notice to creditors and further providing for transferring possession of property of testate or intestate to the sole beneficiary or beneficiaries upon their presentment of an affidavit of right." Referred to Committee on Judiciary.

House Bill No. 234, introduced by Battin, Babcock, Gerard, Cavan: A bill for an act entitled: "An act to amend section 14-213 of the Revised Codes of Montana of 1947 relating to the disposal of earnings, dividends, reserve fund and educational fund by directors of a co-operative association; providing that the directors of a co-operative association shall, out of net earnings, pay dividends on the paid up capital stock not exceeding six per cent (6%) per annum on the par value thereof; providing that the remaining funds, if any, shall be distributed among patrons in direct proportion to their purchases; repealing section 14-214 of the Revised Codes of Montana of 1947; providing that directors of all co-operative corporations and associations shall meet at least once a year to determine if they have surplus earnings and providing for the distribution of such earnings; repealing all acts and parts of acts in conflict herewith and providing an effective date." Referred to Committee on Ways and Means.

House Bill No. 235, introduced by Jardine, Wood, Bardanouve: A bill for an act entitled: "An act to amend sections 38-809 and 38-812, Revised Codes of Montana, 1947, and to add to the Revised Codes of Montana a section to be numbered 38-809.1, to provide for an increase in the amount payable by persons committed to the Montana State Training School or by the parents or relatives legally liable for the support of such persons; to provide for the making of orders by boards of county commissioners and District Courts for payment of such amounts; to provide a method of changing such orders, and for the collection of such payments; to provide for a review of amounts payable under existing orders of commitment; and providing for an effective date." Referred to Committee on State Boards and Institutions.

House Bill No. 236, introduced by Parker, Barrett, Leuthold, Page (Granite), Wright, Holtz, Nees, Raundal, Aasheim, McGaffick, Kvaalen, Shelden (Lincoln), Casey, Cavan: A bill for an act entitled: "An act to amend sections 75-1723 and 75-4516.1, Revised Codes of Montana, 1947, relating to the payment of the employer's contribution under the social security act and providing that the contribution for school districts be paid from the five (5) mill district levy or from an additional district levy if the five (5) mill levy is not sufficient to support the elementary budget including the contribution and providing that the contributions by high schools be paid from the county ten (10) mill levy or from an additional county levy if the ten (10) mill levy is not sufficient to support the total of the approved budget of all high schools including the contributions and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 237, introduced by Sheehy, Cavan, Battin: A bill for an act entitled: "An act permitting actions on tort claims against the State of Montana; describing the practice and procedure therefor; providing that where insurance is applicable, settlement compromise or judgment shall be subject to such insuring provisions; containing a repealing clause and providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 238, introduced by Fladager, Woodring, Kvaalen: A bill for an act entitled: "An act to provide for the sale of state-owned agricultural land, when the lessee makes request to the State Board of Land

Commissioners, to provide for a minimum purchase price for tillable irrigated lands, to provide for a minimum purchase price for non-irrigated continuously cropped farm land, to provide for a minimum purchase price for wild hay land, to provide for a minimum purchase price for non-irrigated farm lands, to provide for a separate purchase price schedule for non-irrigated farm lands exceeding an average yearly yield of ten (10) bushels of wheat per acre, to prescribe certain procedures for determination of average yearly yields, to provide for a declaration of policy and to repeal all acts or parts of acts in conflict herewith." Referred to Committee on State Lands, Forests and Parks.

House Bill No. 239, introduced by Gunderson, Kvaalen: A bill for an act entitled: "An act to amend section 3-103, Revised Codes of Montana, 1947, as amended by chapter 110, laws of 1953, relating to the bond and salary of the Commissioner of Agriculture by increasing the salary of the commissioner; containing a repealing clause." Referred to Committee on Appropriations.

House Bill No. 240, introduced by Rindy, Broeder (by request): A bill for an act entitled: "An act to amend sections 53-110 and 53-112, Revised Codes of Montana, 1947, and section 53-122, Revised Codes of Montana, 1947, as amended; providing for the collection of an additional fee of \$1.00 upon and for filing any lien or lien instrument against any motor vehicle; providing for the payment of an additional fee of \$1.00 for issuance of an original certificate of ownership of title to a motor vehicle; providing for the payment of an additional fee of \$1.00 upon a transfer of registration by the owner of a motor vehicle; providing that said additional fees shall be paid over by the registrar of motor vehicles directly to the state highway fund; providing for increases in the registration or license fees to be paid upon registration or re-registration of motor vehicles, trailers, house trailers, semitrailers and dealers in motor vehicles or trailers, providing that such increases shall be effective July 1, 1959; providing that sixteen and two-thirds per cent (16⅔%) of all license or registration fees collected shall be segregated and paid over by the various county treasurers directly to the state highway fund; providing for an effective date of this act and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 241, introduced by Wayrynen, Healy, Picard, Jensen: A bill for an act entitled: "An act to amend section 26-301 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 193 of the Montana Session Laws of 1955, relating to restrictions of manner of taking and possessing fish and game and powers of commission relating thereto, to provide for the allowance of fishing with salmon eggs by deleting the restriction against it; containing a repealing clause and providing an effective date." Referred to Committee on Fish and Game.

House Bill No. 242, introduced by MacDonald: A bill for an act entitled: "An act to provide for the support of the government of Montana for the years 1959 and 1960; providing a severability clause and an effective date." Referred to Committee on Ways and Means.

House Bill No. 243, introduced by Gunderson, Babcock, Morrison: A bill for an act entitled: "An act providing for a license for physical therapist, defining physical therapy and other terms; providing for qualifications and examinations; providing for annual renewal of licenses and temporary licenses; providing a short title; directing that invalidity of part of this act shall not affect or impair the remainder; providing for reciprocity between Montana and other states or territories; containing a repealing clause, and penaltiaes for the violation of this act." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 244, introduced by Gilfeather, Gunderson, Bradford: A bill for an act entitled: "An act to amend Section 41-1301 of the Revised

Codes of Montana of 1947, relating to semi-monthly payment of wages by employers of labor, by removing the exclusion of the State of Montana or any legal subdivision thereof from the definition of 'employer' and by providing the term 'employer' shall include the State of Montana, political subdivisions and instrumentalities thereof, and cities and towns; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions.

House Bill No. 245, introduced by Tonner, Bardanouve: A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to the Constitution of the State of Montana by adding Section 46 to Article V thereof and by amending Section 45 of Article VI and amending Sections 14, 15 and 16 of Article VII, relating to succession to the office of legislator and governor, respectively, to provide that the legislature is authorized to enact laws for the preservation of government in the event of war or enemy-caused disaster, and providing for succession to the offices of legislator and governor." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 246, introduced by Moudree, Eskildsen, Walton, Casey: A bill for an act entitled: "An act to amend Section 56-104, Revised Codes of Montana, 1947, relating to the duties of a notary public, by adding thereto the duty of keeping a record of instruments acknowledged or proved; prescribing a fee for certified copies of such records; containing a repealing clause; providing an effective date." Referred to Committee on Judiciary.

House Bill No. 247, introduced by Committee on Highways and Highway Transportation (by request): A bill for an act entitled: "An act to amend Section 25.1, Chapter 263, Laws of 1955, as amended by Section 1, Chapter 169, Laws of 1957, relating to the use of authorized emergency vehicles on state highways; providing that the state highway patrol board shall have authority to regulate the use, operation and conduct of authorized emergency vehicles upon controlled access highways or controlled access facilities; providing a violation thereof shall be a misdemeanor; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 248, introduced by Committee on Highways and Highway Transportation (by request): A bill for an act entitled: "An Act to amend Section 30, Chapter 263, Laws of 1955, relating to the adoption of a sign manual by the state highway commission; providing the state highway commission shall adopt for use on interstate highway, an interstate sign manual." Referred to Committee on Highways and Highway Transportation.

House Bill No. 249, introduced by Committee on Highways and Highway Transportation (by request): A bill for an act entitled: "An act to amend Section 31, Chapter 263, Laws of 1955, providing the highway commission to sign all state highway; providing that the commission only shall sign controlled access highways or controlled access facilities; providing that the commission shall adopt and publish rules and regulations regarding the erection, placement and maintenance of signs for traffic control devices; providing that every unauthorized sign of traffic control device encroaching into the right-of-way of a state highway is a public nuisance; providing removal of an encroaching sign; providing a penalty; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 250, introduced by Committee on Highways and Highway Transportation (by request): A bill for an act entitled: "An act relating to the jurisdiction over controlled access highways and controlled access facilities; providing that the state highway commission shall have

exclusive jurisdiction over all controlled access highways and controlled access facilities except as otherwise specifically provided in the codes of Montana; and providing that the state highway patrol board shall have exclusive jurisdiction to determine a speed upon such controlled access highways and controlled access facilities except as otherwise specifically provided in the laws of Montana; providing exclusive jurisdiction to police the controlled access highways and controlled access facilities; providing for constitutionality; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 251, introduced by Leuthold, Hanks, Reeder, Nees, Sales, Higham, Aasheim: A bill for an act entitled: "An act to promote, establish and organize upon a permanent basis in the State of Montana scientific and intensive research in the production, marketing and utilization of wheat grown in Montana; to create in the department of agriculture of the State of Montana a division of wheat and marketing research; to define terms used in this act; to declare the public policy of the State of Montana in the field of such research and marketing; designating the powers and duties of such division in the said department and of said department in connection therewith; to create an administrative committee to be known as the Montana Wheat Research and Marketing Committee, and to prescribe its powers and duties; to provide for the making of certain reports by such agencies; levying an excise tax of two and one-half (2½) mills per bushel of wheat on the grower thereof to provide for the expense of such research and the administration and enforcement of this act, and for the placement of the proceeds of said levy in a revolving fund to be known as the wheat and marketing research revolving fund in the custody of the state treasurer of Montana; to provide for refunds from such fund upon prescribed conditions and proper application therefor; to provide for transfers from such revolving fund to the general fund of the State of Montana; to prescribe the duties of the state board of examiners with respect to claims against such fund and of the state auditor and state treasurer with relation to such funds; to make certain acts and practices unlawful and to provide penalties therefor; to repeal all acts and parts of acts in conflict with this act, and providing that this act shall be in full force and effect from and after its passage and approval." Referred to Committee on Agriculture, Dairying and Horticulture.

House Bill No. 252, introduced by Gerard, Sheehy (by request): A bill for an act entitled: "An act to amend Section 89-802 of the Revised Codes of Montana, 1947, to provide that ten consecutive years of non-use is prima facie evidence of intent to abandon all or a part of a water right." Referred to Committee on Irrigation and Water Conservation.

House Bill No. 253, introduced by Gerard, Sheehy (by request): A bill for an act entitled: "An act to amend Sections 89-810, 89-811, 89-812, 89-813, and 89-814 of the Revised Codes of Montana, 1947, and to add a new section to Title 89 of the Revised Codes of Montana to be known as Section 811.1, to provide an exclusive method for acquiring a water right, to require the filing of claims to water and information concerning the development of such claims, to provide for the filing of past acquired rights to water, and to provide for the effect of compliance or failure to comply with the provisions of this act." Referred to Committee on Irrigation and Water Conservation.

House Bill No. 254, introduced by Broeder, McGarvey, Shelden (Lincoln): A bill for an act entitled: "An act to amend Section 32-103 of the Revised Codes of Montana, 1947, defining public highways, to provide for certain changes in the definition; to amend Section 32-2114 of the Revised Codes of Montana, 1947, enacted as Section 14, Chapter 263 of the Montana Session Laws of 1955, defining street or highway, to provide changes in definition; to amend Section 84-1831 of the Revised Codes of Montana, 1947, enacted as Section 2, Chapter 162 of the Montana Session

Laws of 1955, relating to definitions for the purpose of special fuel tax; to establish the policy of the State of Montana in the regulation, licensing and taxation of fuel used in motor vehicles operated in the state; to promote economy and safety of public administration and travel by encouraging off-highway operation of motor vehicles; and containing a repealing clause." Referred to Committee on Highways and Highway Transportation.

House Bill No. 255, introduced by McGarvey, Parker, Nees, Shelden (Lincoln), Howard, Leuthold, Barnard, Holtz, Nichols, Page (Granite), Aasheim, Casey, Kvaalen: A bill for an act entitled: "An act to amend Section 75-3612 of the Revised Codes of Montana, 1947, as amended by Chapter 241, Laws of 1955 and Chapter 251, Laws of 1957, providing for the equalization of financial distribution for all elementary and secondary schools in order to maintain a uniform system of free public schools; providing schedules for determining support of foundation financial program for public elementary and secondary schools, and for other purposes." Referred to Committee on Education.

House Bill No. 256, introduced by Barrett: A bill for an act entitled: "An act to amend Section 75-1311, Revised Codes of Montana, 1947, relating to the responsibility of the superintendent of public instruction and the state board of education for the course of study for all public elementary and high schools; providing for evaluation and revision of the course of study; providing for the appointment of a director of curriculum and assistants; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 257, introduced by Powers, McNally, Mernin, Wood: A bill for an act entitled: "An act to amend Section 70-106, Revised Codes of Montana, 1947, relating to the investigation and ascertainment of the valuation of property of public utilities used and useful for the convenience of the public and relating to hearings and investigations in connection with public utilities, and providing for the payment of expenses of hearings and investigations and valuations and/or revaluations, and methods of assessing and collecting the same, and creating a 'public utility fund,' a revolving fund; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 258, introduced by Powers, Healy, Picard, Mernin, Glancy: A bill for an act entitled: "An act to amend Section 41-1107, Revised Codes of Montana, 1947, relating to the period of employment per day in underground mines, workings and tunnels; providing that eight hours work per day shall be computed from the time of leaving the surface or entry of the mine, working, or tunnel until the return to the surface or entry; providing for a repealing clause and an effective date." Referred to Committee on Labor.

House Bill No. 259, introduced by Jardine, McGarvey: A bill for an act entitled: "An act to amend Sections 93-315 and 93-316 of the Revised Codes of Montana, 1947, relating to terms of court, court adjournments, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 260, introduced by Devier, Kvaalen, Haines (Prairie): A bill for an act entitled: "An act relating to the creation of a board of control to operate, manage, supervise and maintain the operations of one or more irrigation districts; providing for membership, terms of office, bond, and compensation; providing for, and deposit of funds, records and inspection; providing for withdrawal of districts, allowing for the hiring of a manager or managers; purpose of this act; and providing for an effective date." Referred to Committee on Irrigation and Water Conservation.

House Bill No. 261, introduced by McGarvey: A bill for an act en-

titled: "An act to provide for the prohibition of false or fraudulent advertising by operators of motels, hotels and like establishments; to compel operators to post minimum and maximum rates and to make available accommodations as advertised; to provide for a penalty for violation of this act and to repeal all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 262, introduced by Committee on State Boards and Institutions (by request): A bill for an act entitled: "An act to amend Section 4-107, Revised Codes of Montana, 1947, relating to the general powers and duties of the Montana liquor control board to provide that all employees of such board, excepting state liquor administrator and assistant state liquor administrator, be processed under the joint merit system regarding all personnel matters." Referred to Committee on State Boards and Institutions.

House Bill No. 263, introduced by Glancy, McNally, Picard, McGarvey, Powers: A bill for an act entitled: "An act to amend Section 11-1912, Revised Codes of Montana, 1947, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same, and providing a maximum levy for such provisions by cities in the third class." Referred to Committee on Affairs of Cities.

House Bill No. 264, introduced by Wood, Holtz: A bill for an act entitled: "An act making it unlawful for any person, firm, corporation or association to sell, dispense, rent or distribute any goods, wares, merchandise or other personal property on Sunday; providing for exceptions; providing for Severability of the provisions of this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 265, introduced by Haines (Missoula): A bill for an act entitled: "An act to amend Section 75-4222, Revised Codes of Montana, 1947, relating to the approval by the state board of health and the state superintendent of public instruction of all plans to erect or enlarge public junior or senior high school buildings; and providing for the appointment of a director of school building services and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 266, introduced by Haines (Prairie), Nichols, Bentz: A bill for an act entitled: "An act to amend Section 129, Chapter 263, Laws of Montana, 1955, relating to audible and visual signals on vehicles; by substituting the word 'red' in place of the word 'amber' with reference to the color of alternating flashing lights on front of school busses; by repealing all acts or parts of acts in conflict herewith and by providing for effective date of act." Referred to Committee on Highways and Highway Transportation.

House Bill No. 267, introduced by Curry, Morrison, Regan: A bill for an act entitled: "An act to amend Section 66-1301, Revised Codes of Montana, 1947, Replacement Volume 4, by providing a new definition of the practice of optometry and to amend Section 66-1302, Revised Codes of Montana, 1947, Replacement Volume 4, relating to provisions regulating the practice of optometry by amending paragraph 9 of said section relating to the work of optical mechanics; by amending paragraphs 10 and 11 relating to terminology and by adding thereto a new paragraph 12 to said section relating to the fitting of contact lenses and to amend Section 66-1305, Revised Codes of Montana, 1947, Replacement Volume 4, relating to examinations by the board of examiners in optometry, providing that said board may accept the grades of an applicant received in written examinations by the national board of examiners in optometry and relating to a change in terminology concerning accreditation; and to amend Section 66-1307, Revised Codes of Montana, 1947 Replacement Volume 4, relating to registration fees by increasing said fee from ten dollars

to twenty dollars per year, and to amend Section 66-1311, Revised Codes of Montana, Replacement Volume 4, relating to compensation of examiners by increasing said compensation from fifteen dollars to twenty-five dollars per day; and to amend Section 66-1316, Revised Codes of Montana, 1947, Replacement Volume 4, by extending the exemption to said act to certain commissioned officers of the armed forces, and to amend Chapter 13 of Title 66 of the Revised Codes of Montana, 1947, Replacement Volume 4, by adding thereto a new section to be known as Section 66-1317 prohibiting discrimination by public agencies; providing for a savings clause, and repealing all laws in conflict herewith." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 268, introduced by Glead: A bill for an act entitled: "An act to appropriate money for the purpose of refunding inheritance taxes erroneously paid to the State of Montana on the death of Thomas E. Luebben, late of Dillon, Montana." Referred to Committee on Appropriations.

House Bill No. 269, introduced by Glead, McGaffick: A bill for an act entitled: "An act to Amend Section 53-615, Replacement Volume number three (3) of the Revised Codes of Montana of 1947, as amended by Section 1 of Chapter 258 of the Laws of 1955, relating to fees on trucks, trailers, semi-trailers, house trailers and busses operating over and upon the highways of the State of Montana, by providing for an increase in gross vehicle weight fees; providing three gross vehicle weight fee schedules to be designated as schedules 'A,' 'B,' and 'C'; providing for payment of gross vehicle weight fees on power units, and combinations of power units and trailers, and semi-trailers; providing for payment of separate gross vehicle weight fees on extra trailers and semi-trailers; providing for payment of a fee upon motor vehicles converted to living quarters; providing the gross weight fee for combinations of twenty-four thousand (24,000) pounds or less shall be paid when annual registration fees are paid; providing that the gross weight fee on combinations in excess of twenty-four thousand (24,000) pounds may be paid in quarterly installments only if such total fee exceeds one hundred dollars (\$100.00); providing for an increase from one dollar (\$1.00) to two dollars (\$2.00) of the additional fee for quarterly payments; repealing Section 1 of Chapter 251 of the Laws of 1955, relating to the payment of gross vehicle weight taxes on power units of three unit combinations of vehicles; providing this act shall be effective from and after January 1, 1960; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 270, introduced by Lees (by request): A bill for an act entitled: "An act to amend Section 31-143 of the Revised Codes of Montana, 1947, relating to suspending privileges of non-residents, to provide for non-operation of a motor vehicle with a driver's license from another state while under suspension or revocation in this state; providing a penalty; containing a repealing clause and providing an effective date." Referred to Committee on Judiciary.

Senate Substitute Bill for Senate Bill No. 4, introduced by Committee on State Boards, Offices and Buildings: A bill for an act entitled: "An act to change the name of the state orphans' home at Twin Bridges, Montana, to 'Montana Children's Center'; providing for a repealing clause." Referred to Committee on State Boards and Institutions.

Senate Bill No. 9, introduced by Cumming, Durkee, Streeter, Mackay, James, Beley, Hibbs: A bill for an act entitled: "An act to amend Section 23-503, Revised Codes of Montana, 1947, as amended by Chapter 83, Laws of 1953; Section 23-511, Revised Codes of Montana, 1947; Section 23-1302, Revised Codes of Montana, 1947, as amended by Chapter 104, Laws of 1953; Section 23-1303, Revised Codes of Montana, 1947, as amended by Chapter 152, Laws of 1955; Sections 23-1306, 23-1401, 23-1402, 23-1403,

23-1404, 23-1405, Revised Codes of Montana, 1947; to permit electors in the United States service to become registered by mailing to county clerk a federal post card application, to except cancellation of registry for failure to vote by persons in the United States Service, to permit application for official ballot by persons in the United States service, to prescribe form of application for persons in United States service, to prescribe form of ballot envelope and return envelope for electors in United States service, to define electors in the United States service and other terms, to prescribe the form of the federal post card application, to prescribe officials permitted to administer oaths required by electors in United States service, and to prescribe the classification of federal post card applications." Referred to Committee on Military Affairs.

Senate Bill No. 43, introduced by Clark, Ruane: A bill for an act entitled: "An act to amend Section 3, Chapter 44, Laws of Montana, 1953, as amended by Section 4, Chapter 270, Laws of Montana, 1955, relating to federal-state agreements under the social security act, to provide that the effective date of such agreements may be retroactive to the extent permitted by the social security act; to amend Section 4, Chapter 44, Laws of Montana, 1953, as amended by Section 6, Chapter 270, Laws of Montana, 1955, relating to plans for coverage of employees of political subdivisions and providing for the exclusion of such services under such plans; and to amend Section 8, Chapter 44, Laws of Montana, 1953, as amended by Section 10, Chapter 270, Laws of Montana, 1955, to provide for the removal of teachers from persons excepted from the act; and to provide that invalidity of a part of this act shall not affect or impair the remainder, and to provide that this act shall become effective upon its passage and approval, and to repeal all acts or parts of acts in conflict herewith." Referred to Committee on Social Security.

Senate Bill No. 48, introduced by Cumming, Thiessen: A bill for an act entitled: "An act to repeal Section 31-111, Revised Codes of Montana, 1947, relating to drivers procuring driver's license—fees—who can purchase." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 56, introduced by Mahoney (Sanders), Cumming: A bill for an act entitled: "An act to repeal Sections 53-123 to 53-128, inclusive, Revised Codes of Montana, 1947, relating to issuance of a license to owners of foreign licensed vehicles who are in Montana as tourists or for recreational travel only and relating to the enforcement of such provisions." Referred to Committee on Highways and Highway Transportation.

Motion was made by Cerovski that the House recess subject to the call of the Chair. Motion carried.

House recessed.

House resumed.

MOTIONS AND RESOLUTIONS

Motion was made by Jardine that the House reconsider its action taken previously on House Bill No. 1.

Gerard moved for a call of the House and requested fifteen seconds. There being a sufficient number of seconds, the Speaker ordered a call of the House.

Motion was made by Cerovski that the call of the House be dispensed with, progress having been reported. Motion carried.

Gerard requested a roll call vote and that the results thereof be spread on the Journal in full. Thereupon, the following vote was taken:

Ayes: Aasheim, Abel, Bardanoue, Barrett, Barnard, Barnes, Brad-

ford, Casey, Cerovski, Clowes, Daniels, Devier, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, McGaffick, McGarvey, McOmber, Mernin, Moudree, Nees, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 54.

Noes: Babcock, Bashor, Battin, Bentz, Broeder, Cavan, Corcoran, Curry, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Hawks, Howard, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, Morrison, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Shea, Walton, Wright. Total 37.

Not Voting: Angstman. Total 1.

Excused: Anderson, McNally. Total 2.

Motion was made by Cerovski that House Bill No. 1 be referred to the Committee on Workmen's Compensation. Motion carried.

Motion was made by Cerovski that House Bill No. 69 be taken from General Orders and rereferred to the Committee on Affairs of Cities. Motion carried.

Motion was made by McOmber that consideration of House Bill No. 122, now on General Orders, be passed for the day. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner.

House Bill No. 106 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 89.

Noes: Battin, Bradford. Total 2.

Absent and not voting: Page (Missoula). Total 1.

Excused: Anderson, McNally. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Morrison of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 41 be amended in the title by adding the following words: "and containing a repealing clause."; and as amended, do pass.

That House Bill No. 94 do pass.

That House Bill No. 103 do pass.

That House Bill No. 112 be amended in Section 1 of the printed bill by inserting in line 6 between the words "the" and "first" the words "(matter deleted)" and

Further amend Section 1 in line 7 by inserting between the words "that" and "additional," the words "(matter deleted)," and as amended, do pass.

That House Bill No. 47 do pass.

That Senate Amendments to House Bill No. 37 be concurred in.

MORRISON, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Amendments to House Bill No. 37 were concurred in by the following vote:

Ayes: Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gerard, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, McGaffick, McGarvey, McOmber, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Aasheim, Bradford, Casey, Daniels, Felt, Gilfeather, Gill, Holtz, Langston, Loughran, Mernin, Moudree, Nees, Regan, Wold. Total 15.

Excused: Anderson, McNally. Total 2.

Motion was made by Cerovski that the House adjourn until 10:00 a. m., Thursday, January 29, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

TWENTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 29, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Glancy, Page (Granite) and Wayrynen, who were excused, and Gleed, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-fourth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 41, 47, 94, 112 and House Bill No. 103 considered correctly engrossed.

PARKER, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 157, 88, 174, 179, 173 and 172, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 169, respectfully report as follows: That House Bill No. 169 be amended as follows:

By striking out section 3 in its entirety;

And as amended, do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 97, respectfully report as follows: That House Bill No. 97 be amended as follows:

Amend title in line 8 after words "spirits and wines" by inserting the words "prohibiting political activity and providing a penalty therefor.";

And further amend bill by changing present section 3 to section 5 and by adding new sections to be numbered "section 3 and section 4," section 3 to read as follows: "Section 3. Any agent or representative of any distillery or distributor of distilled spirits shall refrain from any political activity, except said person shall have the right to vote if he has complied with the prerequisites of voting. Said agent shall not contribute money or any other thing of value to any person running for political office, or to any club organized to promote the election of any man running for public office, nor shall he contribute money or anything of value to any political party." Section 4 shall read as follows: "Section 4. Any person convicted of any violation of this act shall be deemed guilty of a felony and upon conviction thereof shall be imprisoned for a term of not less than one year or subject to a fine of \$1,000.00 or both such fine and imprisonment."

And as amended, do pass.

REEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 26 and 38 and House Joint Resolution No. 2.

JARDINE, Chairman.

I have examined House Bill No. 26 introduced by me and find the same to be correct.

LANGSTON.

I have examined House Bill No. 38 introduced by me and find the same to be correct.

KVAALEN.

I have examined House Joint Resolution No. 2 introduced by me and find the same to be correct.

JOHN J. MacDONALD.

The Speaker signed House Bills Nos. 26 and 38, and House Joint Resolution No. 2 in open session, the titles having first been read.

MESSAGES FROM THE GOVERNOR AND SENATE

January 28, 1959.

Honorable John J. MacDonald,
Speaker of the House of Representatives,
State Capitol
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following Measure:

House Bill No. 28—Introduced by Daniels.

Very truly yours,
J. HUGO ARONSON, Governor.

January 28, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by committee action, reports adopted, and the bills are herewith returned to the House:

House Bill No. 67 by Kvaalen et al.

House Bill No. 82 by MacDonald.

House Bill No. 59 by Committee on Fish and Game.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Reeder that consideration of House Bill No. 27, now on General Orders, be passed for the day. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measures at length, and referred to committees:

House Bill No. 271, introduced by Elting: A bill for an act entitled: "An act to amend section 93-1602 of the Revised Codes of Montana, 1947, relating to how jurors in justice and police courts are summoned; providing for names of such jurors to be drawn from district jury box number 3;

containing a repealing clause and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 272, introduced by Holding: A bill for an act entitled: "An act to amend section 41-703 of the Revised Codes of Montana, 1947, pertaining to penalties, to provide that penalty for violation of act should be \$500.00 or 5% of the contract price, whichever is the greater." Referred to Committee on Judiciary.

House Bill No. 273, introduced by Sheldon (Flathead), Elting, Battin, Page (Granite): A bill for an act entitled: "An act relating to the creation of a sanitarians registration council, appointed by the Montana State Board of Health; providing definitions of terms; manner of registration of sanitarians by examination and without examination under certain circumstances; establishing fees; providing the manner and grounds for revocation of certificates by the board of registered sanitarians; providing penalties for practicing as a registered sanitarian without a certificate; prescribing minimum and maximum penalties for violations of this act and conferring jurisdiction over all prosecutions hereunder upon the District Court; empowering the sanitarians registration council to issue certificates of registration to sanitarians registered by another state; providing the manner of review of decisions of the council and manner of service of legal papers upon the council; directing that unconstitutionality of a part of this act shall not affect or impair the remainder; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 274, introduced by Highways and Highway Transportation Committee: A bill for an act entitled: "An act to amend and revise the motor carrier act of the State of Montana, being chapter 1 of title 8, Revised Codes of Montana, 1947, bringing within the terms of the act certain previously exempted motor carriers, defining private carriers and requiring registration of their vehicles, re-defining the several classes of motor carriers, providing revised procedures on obtaining certificates of public convenience and necessity, and altering, amending, revoking and transferring such certificates, providing for the regulation of interstate or itinerant motor carriers by registration of same and issuance of registration plates, providing revised schedules of fees and assessments under the act, defining exempt carriers, revising provisions for review of orders of the board, providing additional powers for field agents of the board engaged in enforcement of the act, providing penalties for violations, providing "grandfather rights" for previously exempt carriers, revising provisions for issuance of temporary certificates of convenience and necessity, and amending sections 8-101, 8-102, 8-109, 8-110, 8-111, 8-112, 8-114, 8-115, 8-119, 8-121, 8-126 and 8-130, Revised Codes, 1947." Referred to Committee on Highways and Highway Transportation.

House Bill No. 275, introduced by Daniels, Wayrynen, Glancy, Holding, Emmons, Glead, Picard, Holtz, Powers, Abel, Elting: A bill for an act entitled: "An act to promote the safety of employees and travelers upon railroad carriers in Montana by requiring such carriers to maintain tracks, bridges, roadbed, and permanent structures for the support of way, trackage, and traffic in safe and suitable condition; requiring the Board of Railroad Commissioners of the State of Montana to administer this act and prescribing their powers and duties; providing review by the District Court of board action and appeals to the Supreme Court; prescribing penalties for the violation of this act or any rule, standard or instruction adopted or prescribed by the board; containing a repealing clause." Referred to Committee on Railway and Aviation Transportation.

House Bill No. 276, introduced by Wood: A bill for an act entitled: "An act to provide that the Board of County Commissioners may levy a special tax not to exceed two (2) mills on the dollar of the taxable property of the county for the purpose of constructing, maintaining and repairing

public ferries; and providing for a repealing clause." Referred to Committee on Townships and Counties.

House Bill No. 277, introduced by Barrett, Holtz: A bill for an act entitled: "An act to amend section 75-1303, Revised Codes of Montana, 1947, relating to the official staff of the Superintendent of Public Instruction; providing for the appointment of assistants; providing for the creation of a department of public instruction; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 278, introduced by McGarvey, Sheldon (Flathead), Tonner: A bill for an act entitled: "An act to amend section 28, chapter 242, laws of 1957, relating to the time and manner of levying and collecting taxes for the payment of bonded indebtedness and other claims and expenses of county water districts; providing that such taxes shall be a lien upon the lot or parcel of property within the district to the extent of its assessment, and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Irrigation and Water Conservation.

House Bill No. 279, introduced by Daniels: A bill for an act entitled: "An act providing for the registration, renewal, assignment and cancellation of trade-marks and service marks; to amend subsection 16 of section 25-102, Revised Codes of Montana, 1947, relating to the fees of the secretary of state for such registration or renewal; to amend section 94-35-229, Revised Codes of Montana, 1947, relating to the definition of "trade-mark" to include service marks, to repeal sections 85-101, 85-102, 85-103, 85-104, 85-105, 85-106, and 85-107, Revised Codes of Montana, relating to trade-marks." Referred to Committee on Judiciary.

House Bill No. 280, introduced by Daniels: A bill for an act entitled: "An act providing for the registration, renewal, assignment and cancellation of trade names, titles or designations." Referred to Committee on Judiciary.

House Bill No. 281, introduced by Felt (by request): A bill for an act entitled: "An act to amend section 31-114 of the Revised Codes of Montana, 1947, relating to fees, fines and forfeitures to provide for payment of fees, fines and forfeitures to the general county school fund and to the general state school fund instead of to the general fund of the State of Montana." Referred to Committee on Judiciary.

House Bill No. 282, introduced by Felt (by request): A bill for an act entitled: "An act to amend section 31-117 of the Revised Codes of Montana, 1947, as amended relating to the drivers' examination section of the highway patrol, to provide for drivers' instruction and examination for high school children and to authorize all highway patrolmen to conduct said training and examination." Referred to Committee on Highways and Highway Transportation.

House Bill No. 283, introduced by Daniels, Jardine: A bill for an act entitled: "An act providing that in negligent actions any insurer of a motor vehicle who has an interest in the outcome may be made a party defendant within the terms and limits of the policy." Referred to Committee on Judiciary.

House Bill No. 284, introduced by Reeder, Hanks, Sales, Haines (Missoula): A bill for an act entitled: "An act to provide that any person driving or operating an ambulance in the State of Montana, whether such ambulance is owned by himself or some other person, firm or corporation, shall have a current valid first aid certificate; providing for a penalty for violation thereof; and containing a repealing clause." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 285, introduced by Emmons, Cerovski, Powers, Karlberg, Eskildsen: A bill for an act entitled: "An act to amend section 69-

1508, Revised Codes of Montana, 1947, relating to license required to operate boilers by providing for the number of employees who must be in attendance at all times whenever high pressure boilers are operated; containing a repealing clause." Referred to Committee on State Boards and Institutions.

House Bill No. 286, introduced by Strnisha, Elting, Broeder, Gill, Barrett, Daniels, Abel, Glead: A bill for an act entitled: "An act to amend section 66-2326 of the Revised Codes of Montana, 1947, as adopted by the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to professional engineers, defining the words 'professional engineering' as having six branches; specifying the type and qualifications of each of said branches; to amend section 66-2335 of the Revised Codes of Montana, 1947, as adopted by the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to professional engineers, to include the branch of engineering for which qualified; to amend section 66-2337 of the Revised Codes of Montana, 1947, as adopted by the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to professional engineers, providing for the branch of professional engineering for which qualified; to amend section 66-2339 of the Revised Codes of Montana, 1947, as adopted by the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to professional engineers, providing for the branch of professional engineering for which qualified; to amend section 66-2346 of the Revised Codes of Montana, 1947, as adopted by the Thirty-fifth Legislative Assembly of the State of Montana of 1957, relating to professional engineers, to eliminate the practice of engineering in a field for which a person is not qualified; containing a repealing clause and providing for an effective date." Referred to Committee on State Boards and Institutions.

House Bill No. 287, introduced by Hanks, Reeder, Sales, Broeder, Strnisha: A bill for an act entitled: "An act to amend section 23-1213 of the Revised Codes of Montana, 1947, relating to voting by disabled electors, to provide that, in lieu of the judges aiding him, he may request that a qualified elector of his choice aid him; containing a repealing clause and an effective date." Referred to Committee on Privileges and Elections.

House Bill No. 288, introduced by Felt: A bill for an act entitled: "An act to amend section 84-4902 of the Revised Codes of Montana, 1947, as amended, relating to the rate of income taxation, to provide for a minimum income tax of five dollars (\$5.00) due to the State of Montana from anyone required under section 84-4914 of the Revised Codes of Montana, 1947, to file an income tax return." Referred to Committee on Ways and Means.

House Bill No. 289, introduced by Wood: A bill for an act entitled: "An act to amend chapter 2, title 9, of the Revised Codes of Montana, 1947, relating to the public cemetery district act, to provide for creation of indebtedness, submission to taxpayers, limitation on amount of indebtedness, terms of bonds, rates of interest, petition and election required, qualification of voters, issuance of bonds, applicability of other sections of the law; repealing acts and parts of acts in conflict herewith and providing for the effective date of this act." Referred to Committee on Townships and Counties.

House Bill No. 290, introduced by Daniels: A bill for an act entitled: "An act to adopt the uniform facsimile signatures of public officials act; providing for the use of facsimile signatures and seals on public securities and instruments of payment issued by the state or any of its instrumentalities or political subdivisions; constituting a felony the use of such signatures or seals with intent to defraud; and amending the following sections of the Revised Codes of Montana, 1947, to delete provisions inconsistent with this act: section 11-2231, respecting special improvement district bonds and warrants; section 11-2316, respecting municipal bonds; section 16-1620, respecting rural improvement district bonds and warrants; section 16-2033, respecting county bonds; section 75-3919, respecting school district bonds;

section 75-3942, respecting school district funding bonds; section 79-1802, respecting state refunding bonds; section 89-1705, respecting irrigation district bonds; and section 89-2501, respecting drainage district bonds; containing a severability clause and a repealing clause and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 291, introduced by Daniels: A bill for an act entitled: "An act to adopt the uniform contribution among tortfeasors act as revised by the national conference of commissioners on uniform state laws in 1955; establishing a right of contribution among joint tortfeasors and providing for enforcement thereof; and providing for the effect of releases or covenants not to sue, containing a severability clause, a repealing clause and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 292, introduced by Wood, Gilfeather, Reeder: A bill for an act entitled: "An act to make taxable under the Montana income tax law and the Montana corporation license tax law that portion of the income of nonresident individuals and corporations paid to them in the form of interest or dividends by persons, corporations, partnerships, firms, business trusts, associations and fiduciaries doing business or having income in Montana which is attributable to Montana sources; providing for withholding and payment to the State Board of Equalization of such tax; and providing for the manner of collection of such tax, the duties of withholding agents, the powers of the State Board of Equalization, and penalties for neglect or failure to comply with the provisions of this act." Referred to Committee on Ways and Means.

House Bill No. 293, introduced by Curry, Regan, Morrison, Gleed: A bill for an act entitled: "An act to amend section 82-1002, Revised Codes of Montana, 1947, and section 82-1009, Revised Codes of Montana, 1947, to provide that it is the specific duty of the state examiner to annually audit the book and accounts of the various units of the University of Montana, providing that the state examiner shall report the result of the annual audit of the various units of the University of Montana to the Governor and the attorney general, providing that the state examiner shall report the audit of the various units of the University of Montana for each biennium to the regular sessions of the Legislative Assembly, providing that the various laws applicable to the examination of the books and accounts of state and county officers, shall apply to the annual audit of the books and accounts of the various units of the University of Montana, and repealing all acts and parts of acts in conflict with this act." Referred to Committee on Education.

House Bill No. 294, introduced by Fladager, Wood, Nelstead, Wright: A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to section 5 of article XI of the Constitution of the State of Montana to provide for a state land equalization figure to consist of twenty per cent (20%) of receipts from grazing and agricultural rentals of state-owned lands, to provide for payment of these receipts by the state to the counties to be prorated by the counties to school districts according to the percentage of state lands within the local school district." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 295, introduced by Fladager, Wood, Nelstead, Wright: A bill for an act entitled: "An act to provide for payment of money from the State of Montana interest and income fund to the elementary school districts, in proportion to the acreage of state land in each school district; to provide that the amount to be paid shall be twenty per cent (20%) of the total receipts of all grazing and agricultural income rentals received by the State of Montana within each county; to prescribe the duties of the Commissioner of State Lands and Investments, county treasurers, the Montana State Board of Examiners and the County Commissioners; to repeal all acts or parts of acts in conflict herewith, and to provide for an effective date." Referred to Committee on Education.

House Bill No. 296, introduced by Gunderson, McGarvey, Elting, Reeder, Cavan: A bill for an act entitled: "An act to provide permanent service status for deputy sheriffs of Montana; creating a sheriff employees' commission in first, second and third class counties and for counties having a population in excess of 15,000 people; setting forth the commission's powers and duties; providing minimum standards for employment as deputy sheriff, and providing for removal, demotion or suspension of deputy sheriffs upon complaint made, public hearing held, and ruling issued by the commission; forbidding deputy sheriffs from engaging in political activities; providing a penalty for violation of the act; and providing a severability and repealing clause." Referred to Committee on Townships and Counties.

House Bill No. 297, introduced by Felt: A bill for an act entitled: "An act to amend section 84-5408 of the Revised Codes of Montana of 1947 relating to the transmission of net proceeds to county assessor; and providing that valuation of mines for the purpose of taxation shall be an amount equal to the average net proceeds from such mine for the five calendar years next preceding or for as many years next preceding as the mine has had gross yield, whichever is less; providing for computation of average net proceeds; providing for determination of net proceeds for averaging to determine valuation; providing for no valuation for a year when there has been no gross yield; repealing all acts and parts of acts in conflict herewith and providing an effective date." Referred to Committee on Ways and Means.

House Bill No. 298, introduced by Felt, Lees (by request): A bill for an act entitled: "An act to amend section 16-912, Revised Codes of Montana, 1947, as amended by chapter 237, laws of 1957, pertaining to the compensation of county commissioners by authorizing an adjustment of salary for incumbent county commissioners; containing a repealing clause." Referred to Committee on Townships and Counties.

House Bill No. 299, introduced by Haines (Prairie), Nichols, Bentz: A bill for an act entitled: "An act to amend section 144, chapter 263, Laws of Montana, 1955, relating to mirrors on motor vehicles; by requiring all single vehicles and all vehicles towing other vehicles to be equipped with rear-view mirrors; by repealing all acts or parts of acts in conflict herewith and by providing for effective date of act." Referred to Committee on Highways and Highway Transportation.

House Bill No. 300, introduced by Jardine, Schwinden, Sheehy: A bill for an act entitled: "An act to amend section 40-1302, Revised Codes of Montana, 1947, as amended by section 1, chapter 224, Laws of Montana, 1957, relating to license fees of insurance corporations, associations, and societies; providing for repeal of all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 301, introduced by Haines (Prairie), Bentz: A bill for an act entitled: "An act relating to a license tax for gasoline dealers; providing that such license tax shall be seven cents on each gallon of gasoline sold or distributed; providing for a deduction from such tax for evaporation; repealing section 1, chapter 230, Laws of Montana, 1957; providing that this act shall be in full force and effect from and after its passage and approval; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 302, introduced by Jardine, Daniels: A bill for an act entitled: "An act relating to actions for the partition or sale of personal property; providing where such actions may be brought; and providing for the procedure which shall be made applicable thereto, and providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 303, introduced by Gilfeather, Gunderson, Schwinden, Wood, Emmons, Holecek, Strnisha, Holtz, Parker, Hanks: A bill for an act entitled: "An act to amend section 84-1501, Revised Codes of Montana,

1947, relating to corporation license tax, organizations exempt from such tax and the rate of such tax; providing for an increase in the rate of tax on net income in excess of twenty-five thousand dollars (\$25,000); providing for taxability of all net income of domestic corporations and broadening the tax base of foreign corporations; providing an effective date for this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 304, introduced by Gilfeather, Morrison, Leuthold: A bill for an act entitled: "An act to establish a permanent juvenile probation officers academy for the State of Montana, providing for an advisory board, establishing rights of officers attending the academy, providing that the expenditure of county, city, town and municipal funds for this purpose shall be a lawful expenditure; providing for an effective date and repealing all other acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 305, introduced by Liquor Control Committee: A bill for an act entitled: "An act to prohibit any person, persons, partnership, firm, corporation or association engaged in any business enterprise, to allow any person or persons to bring upon premises devoted to such business enterprise and to consume thereon, any beer, liquor or other alcoholic beverages, unless licensed, and providing a penalty therefor; repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Liquor Control.

House Bill No. 306, introduced by Barrett, Hawks: A bill for an act entitled: "An act creating a commission to make a study of the organization of school districts in each county of the State of Montana; creating a commission on school district reorganization; providing for its appointment; prescribing the powers and duties of the commission; providing for the report of the commission; appropriating funds for the expense of the commission; and providing for an effective date." Referred to Committee on Education.

House Bill No. 307, introduced by Gilfeather, Wood, Holtz, Strnisha, Schwinden: A bill for an act entitled: "An act to amend section 84-1502, Revised Codes of Montana, 1947, relating to deductions allowed in computing corporation license tax net income, to provide for a reduction in the deduction allowed for salaries, provide for a reduction in the depletion allowance authorized by said section, provide for deduction of certain taxes, providing a savings clause, providing an effective date and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 308, introduced by Battin, Leuthold: A bill for an act entitled: "An act to provide for the preparation of typewritten reports and summaries of said typewritten reports by the executive heads of budgeted agencies; to provide that said reports shall be delivered to the Governor who shall have the responsibility for their printing and dissemination; to prohibit budgeted agency executives from publishing other reports without the permission of the Governor and to provide for the repeal of all inconsistent acts or parts of acts in conflict herewith." Referred to the Committee on State Boards and Institutions.

House Bill No. 309, introduced by Nichols, Gleed, Bardanouve, Howard: A bill for an act entitled: "An act to amend section 59-510 of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 22 of the Session Laws of the Thirty-second Legislative Assembly of the State of Montana, 1951, and section 1 of chapter 253 of the Session Laws of the Thirty-fifth Legislative Assembly of the State of Montana, 1957, relating to state office hours; providing that all persons employed in said offices shall work during office hours, with one hour off for lunch; repealing all acts or parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on State Boards and Institutions.

House Bill No. 310, introduced by Glency, Healy, Holding, Gunderson, Shea, Picard: A bill for an act entitled: "An act to appropriate money from the general fund to design, engineer, construct, erect, furnish and operate additional wings to the home for senile men and women authorizing the Board of Examiners to employ architects to design said additional wings to said home, and authorizing the Board of Examiners to advertise and call for bids for the construction of said additional wings; authorizing the Board of Examiners to purchase out of any remaining moneys, furnishings for said additional wings and the employment of help to operate and maintain the same; providing for an effective date of act and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Appropriations.

House Bill No. 311, introduced by Holtz: A bill for an act entitled: "An act to amend section 69-2802 of the Revised Codes of Montana, 1947, as amended by section 14, chapter 264, of the Montana Session Laws of 1955, relating to definitions of refrigerated lockers, to provide for definitions of 'frozen food processing plant'; to amend section 69-2803 of the Revised Codes of Montana, 1947, as amended by section 15, chapter 264, of the Montana Session Laws of 1955, relating to licenses for refrigerated locker plants, to provide for licensing 'frozen food processing plants'; to amend section 69-2804 of the Revised Codes of Montana, 1947, as amended by section 16, chapter 264, of the Montana Session Laws of 1955, relating to fees and terms of said licenses, to provide such for 'frozen food processing plants'; repealing section 69-2814 of the Revised Codes of Montana, 1947, and all other acts or parts of acts in conflict herewith." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 312, introduced by Babcock, Abel, Langston, Barrett: A bill for an act entitled: "An act to amend section 77-117, Revised Codes of Montana, 1947, replacement volume five, and repeal subsection twelve and subsection thirteen of section 77-120, Revised Codes of Montana, 1947, replacement volume five, which sections provide for the appointment of, the adjutant-general of the state; define the duties of the adjutant-general; provide the annual salary of the adjutant-general; repeal all acts and parts of acts in conflict herewith; and provide an effective date." Referred to Committee on Military Affairs.

House Bill No. 313, introduced by Elting: A bill for an act entitled: "An act relating to loans and interest and other charges and expenses on loans; to define 'consumer type loan business' and certain other terms; to regulate and license the business of making consumer type loans in the amount of one thousand dollars (\$1,000.00) or less; to create the office of consumer loan commissioner, and to provide for the appointment and compensation of a consumer loan commissioner and to prescribe the powers, duties, authority and jurisdiction of such commissioner; to authorize the adoption and promulgation of rules and regulations; to make certain acts unlawful and to provide penalties and forfeitures for violations of this act; to exempt certain businesses from the provisions of this act; to prescribe certain license and other fees; to create a 'consumer loan administration fund' to be used to administer and enforce the provisions of this act; to provide for the issuance, refusal, suspension and revocation of licenses; to provide for the refund of certain precomputed charges where a loan is paid prior to maturity; to authorize and regulate the issuance of certain insurance in connection with consumer type loans in the amount of one thousand dollars (\$1,000.00) and less; to authorize investigations and examinations by the commissioner and to provide for examination fees; to require licensees to keep certain records and to make certain reports; to regulate wage assignments; to provide for appeals from any action or order of the commissioner; to provide for the making of certain installment loans of two thousand dollars (\$2,000.00) or less; amending section 47-125 of the Revised Codes of Montana of 1947, relating to legal rate of interest, by providing for an interest rate on installment loans of two thousand dollars (\$2,000.00) or less; and repealing section 47-126 of the Revised

Codes of Montana of 1947 and all acts and parts of acts in conflict herewith." Referred to Committee on Banking and Insurance.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 16, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 41 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Barnard, Barnes, Bashor, Battin, Bentz, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gunderson, Haines (Missoula), Healy, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Lees, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Nees, Nichols, Page (Missoula), Paulsen, Picard, Powell, Regan, Rindy, Schwinden, Sheldon, Sheldon, Strnisha, Wood, Wold, Mr. Speaker. Total 58.

Noes: Haines (Prairie), Hanks, Harball, Hawks, Higham, Holecek, Leuthold, Nelstead, Parker, Raundal, Reinecke, Sales, Sheehy, Wright. Total 14.

Excused: Glancy, Page (Granite), Wayrynen. Total 3.

Absent and not voting: Anderson, Bardanouve, Barrett, Bradford, Broeder, Daniels, Gill, Gleed, Holding, Kiff, Langston, McGarvey, Moudree, Powers, Reeder, Shea, Tonner, Walton, Woodring. Total 19.

House Bill No. 47 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barnard, Barnes, Battin, Bentz, Casey, Cavan, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Page (Missoula), Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold. Total 71.

Noes: Bashor, Broeder, Cerovski, Elting, Fladager, Hanks, Jensen, Moudree, Nichols, Parker, Wright, Mr. Speaker. Total 12.

Absent and not voting: Anderson, Barrett, Bradford, Gleed, Holding, Kiff, Langston, McGarvey. Total 8.

Excused: Glancy, Page (Granite), Wayrynen. Total 3.

House Bill No. 94 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison,

Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 82.

Noes: Elting, Fladager. Total 2.

Absent and not voting: Anderson, Bradford, Daniels, Gleed, Holding, Kiff, Moudree. Total 7.

Excused: Glancy, Page (Granite), Wayrynen. Total 3.

House Bill No. 112 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 84.

Noes: Angstman, Gilfeather. Total 2.

Absent and not voting: Bradford, Daniels, Devier, Gleed, Kiff. Total 5.

Excused: Glancy, Page (Granite), Wayrynen. Total 3.

House Bill No. 103 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, DeWolfe, Elting, Emmons, Felt, Fjare, Gerard, Gilfeather, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 79.

Noes: Angstman, Eskildsen, Fladager, McGaffick, McGarvey, Mernin, Wold. Total 7.

Absent and not voting: Bradford, Daniels, Devier, Gleed, Kiff. Total 5.

Excused: Glancy, Page (Granite), Wayrynen. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 6 be amended in the title on line 8 of the original bill by inserting after the word "license" the words "repealing all acts and parts of acts in conflict herewith," and as so amended, do pass.

That House Bill No. 22 do pass.

That House Bill No. 42 be amended in section 1 by striking out in line 38 of the printed bill, the words and figures: "one dollar (\$1.00)" and inserting in lieu thereof the words and figures: "two dollars (\$2.00)"; and as amended, do pass.

That consideration of House Bill No. 80 be passed for the day.

ESKILDTSEN, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed. House Bills Nos. 6, 22 and 42.

PARKER, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 141, respectfully report as follows: That House Bill No. 141 be amended as follows:

In the title of the bill delete in line 3 the word and figures "and 40-1204";

And further amend in section 1, line 3, by deleting the word and figures "and 40-1204",

And as amended, do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration Senate Bill No. 9, respectfully report as follows: That Senate Bill No. 9 be concurred in.

ABEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Joint Memorial No. 10, respectfully report as follows: That House Joint Memorial No. 10 do pass.

ABEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had

under consideration House Bill No. 312, respectfully report as follows: That House Bill No. 312 do pass.

ABEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Joint Memorial No. 9, respectfully report as follows: That House Joint Memorial No. 9 do pass.

ABEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 115, respectfully report as follows: That House Bill No. 115 do pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 124, respectfully report as follows: That House Bill No. 124 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Joint Memorial No. 7, respectfully report as follows: That House Joint Memorial No. 7 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Joint Memorial No. 8, respectfully report as follows: That House Joint Memorial No. 8 do pass.

LOUGHRAN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Leuthold that House Bill No. 80 be taken from General Orders and referred to the Committee on Judiciary. Motion carried.

Motion was made by Regan that the special committee appointed to study consolidating boards, bureaus and departments be given additional time, until the 36th Legislative Day, to make its report. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

House Bill No. 314, introduced by Abel, Wold, Eskildsen, Anderson: A bill for an act entitled: "An act to appropriate money for the construction of facilities necessary for the administration and training of the Montana National Guard." Referred to Committee on Appropriations.

House Bill No. 315, introduced by Schwinden, Gunderson, Gilfeather: A bill for an act entitled: "An act to amend section 84-4902 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 228, of the Montana Session Laws of 1957, relating to rate of income tax; to provide for a change in rates; containing a repealing clause and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 316, introduced by Emmons, Wood: A bill for an act entitled: "An act to amend section 84-5601, replacement volume 5 Revised Codes of Montana, 1947, as amended by chapter 18, laws of 1957, section 84-5602, section 84-5603, section 84-5609, section 84-5611, replacement volume 5, Revised Codes of Montana, 1947, defining certain terms, providing for a distributors and dealers license, providing duration for such license, providing for use of tax stamping meters, providing penalties for violation of this act, repealing sections 84-5607 and 84-5610, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 317, introduced by Battin, Morrison, Regan: A bill for an act entitled: "An act to amend section 11-403, Revised Codes of Montana, 1947, as amended by section 1, chapter 239, Montana Session Laws of 1957, relating to extension of boundaries to include contiguous platted tracts or other parcels of land by cities of the first class; to provide for the annexation of platted or unplatted tracts or parcels of land wholly surrounded by cities of the first class, and providing the procedure therefore; containing a repealing clause, and providing an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 318, introduced by Holtz, Holecek, Strnisha: A bill for an act entitled: "An act to amend section 3-218 and 3-219, Revised Codes of Montana, 1947, relating to receiving grain by warehousemen, to prohibit issuance of warehouse receipts for grain stored or piled on the ground or not stored in a public warehouse and to prohibit making storage charges for grain stored or piled on the ground or not stored in a public warehouse, and providing penalties, and containing a repealing clause." Referred to Committee on Agriculture, Dairying and Horticulture.

House Bill No. 319, introduced by Page (Missoula), Angstman: A bill for an act entitled: "An act to amend section 59-703, Revised Codes of Montana, 1947, relating to the printing and publication of reports of state officers, boards, bureaus, commissions and departments, to change the duties and responsibilities herein from the State Board of Examiners to the Governor; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions.

House Bill No. 320, introduced by Daniels, Page (Granite), Holecek, Gunderson, Paulsen: A bill for an act entitled: "An act to amend section 68-1307, Revised Codes of Montana, 1947, relating to the allocation of money to the public employee's retirement fund, the disbursement procedure of money, and the manner in which contributions under this section are applied; by providing for an increase to four per cent (4%) of the amount of the compensation paid members of the retirement system as the employer share of contribution; by providing that invalidity of a part of this act shall not affect or impair the remainder; by repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Social Security.

House Bill No. 321, introduced by Wood: A bill for an act entitled: "An act to amend section 84-2004, Revised Codes of Montana, 1947, relating to the annual tax to be paid by persons engaged in or carrying on the business of working or operating any mine or mining property and providing that this annual license tax shall amount to two per cent (2%) of the gross value of the product, repealing all acts in conflict herewith and providing that it shall be effective from and after its passage and approval." Referred to Committee on Ways and Means.

House Bill No. 322, introduced by Wood: "A bill to enact by initiative a law providing for the amendment of section 84.1801.1 of the Revised Codes of Montana, 1947, enacted as section 1, chapter 230 of the Montana Session Laws of 1957, relating to the gasoline license tax, to provide for increasing the tax an additional 1c per gallon; providing for the submis-

sion of this act to the qualified electors of the State of Montana at the next general election; providing when this act shall take effect; containing a repealing clause upon approval of this act by a majority of all votes cast at the referendum election herein provided; and providing an effective date." Referred to Committee on Highways and Highway Transportation.

House Bill No. 323, introduced by Gilfeather, Sheldon: A bill for an act entitled: "An act amending Section 87-148, Revised Codes of Montana, 1947, as last amended by Chapter 171 of the Montana Laws, 1957, which section is a part of the unemployment compensation law relating to definitions, by redefining 'employing unit' to include this state or any political subdivision or any instrumentality thereof, or any cities, towns, school districts and irrigation districts or any other political subdivisions of this state organized and existing under and by virtue of the laws of this state, by redefining 'employer' to include this state or any political subdivision or any instrumentality thereof or any cities, town, school districts and irrigation districts, or any other political subdivision of this state organized and existing under and by virtue of the laws of this state, by redefining 'employment' to include service for the state or any political subdivision or any instrumentality thereof, or any cities, towns, school districts, and irrigation districts or any instrumentality thereof, or any other political subdivision of this state, by redefining exclusions by deleting services performed in the employ of this state, or of any political subdivision thereof, or of any instrumentality of this state or its political subdivisions and by including therein any elected public officials and persons appointed for a definite term by redefining the term 'state' by deleting the word 'Alaska'; providing manner of payment of contributions by the state or any political subdivision or instrumentality thereof or any cities, towns, school districts and irrigation districts or other political subdivisions of this state; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 324, introduced by Wold, Harball, McNally, Powers: A bill for an act entitled: "An act to authorize payroll deduction from public employees' salaries for payment of dues in public employees' organizations; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Social Security.

House Bill No. 325, introduced by Tonner, Harball, Sheldon: A bill for an act entitled: "An act to submit to the vote of the people a measure to amend chapter 230, Montana Session Laws of 1957, relating to a license tax for gasoline dealers; providing that such license tax shall be seven (7) cents on each gallon of gasoline sold or distributed and providing a deduction for evaporation; repealing conflicting acts; providing for effective date upon Governor's proclamation." Referred to Committee on Highways and Highway Transportation.

House Bill No. 326, introduced by Wood, Tonner: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 30 of article V of the Constitution of the State of Montana, relating to the state furnishing and contracting for stationery, printing, paper, binding, distribution of laws, journals and department reports and other printing and binding, to provide for the deletion of the above mentioned items from said article and section so that the state may furnish said items by doing its own printing without necessarily having to contract for the above said items; repealing all laws and parts of laws in conflict herewith and providing an effective date." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 327, introduced by Sheehy, Felt, Wood, Sales, Schwinden: A bill for an act entitled: "An act to provide for retaliation against the insurers of any other state or foreign country on account of taxes, licenses and other fees, fines, penalties, deposit requirements or other

material obligations which are or would be imposed upon Montana insurers, their agents or representatives, which are in excess of such taxes, licenses and other fees, fines, penalties, deposit requirements or other obligations imposed upon similar insurers or agents or representatives of such insurers of such other state or country under the statutes of this state; providing for the inclusion of taxes, licenses or other fees imposed by any city, county or other political subdivision or agency of such other state or country to be within the purview of this act; providing for the exclusion from the operation of this act personal income taxes, ad valorem taxes on real or personal property, special purpose obligations or assessments imposed by another state in connection with particular kinds of insurance other than property insurance; defining domicile of an alien insurer for the purpose of this act, other than insurers formed under the laws of Canada; providing for an effective date for this act; and specifically repealing section 40-1428, Revised Codes of Montana, 1947." Referred to Committee on Judiciary.

House Bill No. 328, introduced by Powers, Karlberg, Eskildsen, Devier, Gilfeather, Bradford: A bill for an act entitled: "An act providing that petitions for initiative and referendum circulated in the State of Montana shall be circulated only by legal voters of the State of Montana; that any person circulating any such petition shall certify thereto that he is a legal voter of the State of Montana and that he circulated the same; defining circulation; providing for repeal of all acts or parts of acts in conflict herewith; and providing violation of act shall be a misdemeanor." Referred to Committee on Privileges and Elections.

House Bill No. 329, introduced by Gilfeather, Bradford, Morrison, Gunderson, Regan, Holtz: A bill for an act entitled: "An act to amend section 93-302, Revised Codes of Montana, 1947, as amended by section 1, chapter 91 of the laws of 1957, relating to the number of judges in each of the judicial districts; providing for three judges in the eighth judicial district; providing for the appointment of a third judge for said district; providing for elections thereafter; providing for the repeal of all laws in conflict herewith." Referred to the Committee on Judiciary.

House Bill No. 330, introduced by Page (Missoula), Sheehy, Schwinden, Angstman, Loman, McGarvey: A bill for an act entitled: "An act to reduce the powers and duties of the State Board of Examiners over claims for an expenditure of the regular appropriations of the civil executive state offices and departments; to amend section 82-1904, Revised Codes of Montana, 1947, relating to the powers of the State Board of Examiners over purchases made by the State Purchasing Department to provide that the powers now exercised by the State Board of Examiners shall be exercised by the state controller; to amend sections 82-1109 and 82-1110, Revised Codes of Montana, 1947, relating to approval of claims by the State Board of Examiners to provide for such approval by the state controller; to amend section 79-104, Revised Codes of Montana, 1947, pertaining to numbering of claims by the State Board of Examiners to provide that such numbering shall be done by the state controller; to amend section 82-1105, Revised Codes of Montana, 1947, by deleting the requirement that claims must be entered in the minutes of the Board of Examiners; and to provide for recording of all claims by the state controller." Referred to Committee on Appropriations.

House Bill No. 331, introduced by Schwinden, Gunderson: A bill for an act entitled: "An act to amend section 84-4908, Revised Codes of Montana, 1947, relating to the alternative deduction allowed in computing net income under the Montana personal income tax act; to provide for the elimination of any credit for federal income tax paid in computing the ten per cent (10%) standard deduction allowable under said section." Referred to Committee on Ways and Means.

House Bill No. 332, introduced by Schwinden, Gunderson: A bill for an

act entitled: "An act to amend section 84-4906 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 260 of Montana Session Laws of 1955, relating to deductions allowed in computing net income for state income tax purposes; to provide that the federal income tax shall not be a deduction, containing a repealing clause." Referred to Committee on Ways and Means.

House Bill No. 333, introduced by Emmons, Powers, McNally, Elting, Battin, Healy, Mernin, Picard, Glancy, Cavan: A bill for an act entitled: "An act to amend certain provisions of the Montana workmen's compensation law; amending section 92-701, 92-702, 92-703, 92-704, 92-705, 92-706, 92-709, and 92-807, Revised Codes of Montana, 1947, as last amended by chapter 234, Montana Session Laws of 1957; all relating to compensation for injuries by increasing compensation in cases of temporary total, permanent total, and partial disability, and for injuries causing death, and certain specific loss injuries; providing changes in the medical and hospitalization benefit section; correcting provisions of the burial and medical sections found to be unconstitutional; enlarging notice time in certain cases; and amending section 92-707, Revised Codes of Montana, 1947, as last amended by chapter seven, Montana Session Laws of 1949, reducing the waiting period; amending section 92-708, Revised Codes of Montana, 1947, as last amended by chapter 253, Montana Session Laws, 1955, removing restrictive language in consecutive payment of compensation; repealing conflicting acts; providing an effective date." Referred to Committee on Workmen's Compensation.

House Bill No. 334, introduced by Elting, Morrison, Felt: A bill for an act entitled: "An act creating a commission to make a comprehensive and constructive study of the tax structure of the State of Montana, creating the commission on taxation and prescribing the powers and duties of the commission; providing for selection of an executive secretary and other personnel; appropriating funds for the expense thereof and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 335, introduced by DeWolfe, Gunderson, Barrett, Abel, Tonner, Haines (Missoula), Lees: A bill for an act entitled: "An act to provide for the rehabilitation, redevelopment, and clearance of blighted areas in cities and towns in this state in accordance with urban renewal plans approved by the governing bodies thereof; to define the duties, liabilities, exemptions and power of such cities and towns in undertaking such activities, including the power to acquire property through the exercise of the power of eminent domain or otherwise, to dispose of property subject to any restrictions deemed necessary to prevent the development or spread of future deteriorated or blighted areas, to issue revenue bonds and other obligations, to levy taxes and assessments and to enter into agreements to secure federal aid and comply with conditions imposed in connection therewith; to provide for an urban renewal agency and its powers hereunder if a city or town determines it to be in the public interest; to authorize public bodies to furnish funds, services, facilities and property in aid of urban renewal projects hereunder, and to provide that properties while held by a public agency hereunder shall be exempt from taxation." Referred to Committee on Affairs of Cities.

House Bill No. 336, introduced by Hawks (by request): A bill for an act entitled: "An act to amend section 4-108, Revised Codes of Montana, 1947, as amended by section 2 of chapter 235, Laws of Montana, 1957, by providing for increases in salaries for vendors and assistant vendors of class A, class B, and class C state liquor stores." Referred to Committee on Appropriations.

House Bill No. 337, introduced by Holtz, Emmons: A bill for an act entitled: "An act to amend section 4-317 and 4-324, Revised Codes of Montana, 1947, relating to taxes on beer to provide that the tax upon beer be increased from one dollar (\$1.00) to two dollars (\$2.00) per barrel of thirty-one (31) gallons." Referred to Committee on Ways and Means.

House Bill No. 338, introduced by Kvaalen, Nelstead: A bill for an act entitled: "An act to amend section 11-1202, Revised Codes of Montana, 1947, as amended by section 1, chapter 139, of the Montana Session Laws of 1949, relating to awarding of contracts by a city or town for work, supplies or materials for which a sum must be paid exceeding one thousand dollars (\$1,000.00); providing that the advertisement of such contract, if by publication, shall be made once each week for two consecutive weeks and the second publication shall be made not less than five (5) days nor more than twelve (12) days before the consideration of bids; and providing for a repealing clause." Referred to Committee on Affairs of Cities.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 85 and 87, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 6 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Eskildsen, Gerard, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Morrison, Nees, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Rindy, Sales, Schwinden, Shea, Strnisha, Tonner, Wood, Woodring, Wright, Mr. Speaker. Total 62.

Noes: Angstman, Broeder, Elting, Fladager, Higham, Kvaalen, Nelstead, Reinecke, Sheldon. Total 9.

Absent and not voting: Anderson, Babcock, Barnard, Bradford, Casey, Daniels, Emmons, Felt, Fjare, Gilfeather, Gleed, Holding, McGarvey, Mernin, Moudree, Page (Granite), Powell, Sheehy, Shelden, Walton, Wayrynen, Wold. Total 22.

Excused: Glancy. Total 1.

House Bill No. 22 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Eskildsen, Fladager, Gerard, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 78.

Noes: None.

Absent and not voting: Anderson, Battin, Bradford, Casey, Daniels, Emmons, Felt, Fjare, Gilfeather, Gleed, McGarvey, Mernin, Powell, Sheehy, Wold. Total 15.

Excused: Glancy. Total 1.

House Bill No. 42 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Bashor, Battin, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Eskildsen, Fladager, Gerard, Gill, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nees, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 73.

Noes: Angstman, Barnes, Bentz, Elting, Jardine, Moudree, Nelstead, Reinecke, Sales, Sheldon, Wright. Total 11.

Absent and not voting: Bradford, Casey, Daniels, Emmons, Felt, Fjare, Gilfeather, Mernin, Powell. Total 9.

Excused: Glancy. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Eskildsen of Phillips in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That the enacting clause be stricken from House Bill No. 104.

That House Bill No. 110 do pass.

That House Bill No. 111 be amended in the title in lines 7 and 8 of the printed bill by deleting the words "and placing the fox on the predatory list";

Be amended further in section 1, in line 32 of the printed bill by deleting the words "and fox"; and as amended, do pass.

That House Bill No. 114 do pass.

That House Bill No. 122 do pass.

That House Bill No. 135 do pass.

That House Bill No. 152 do pass.

That House Bill No. 165 be amended in section 1 by inserting in line 3 of the printed bill after the word "where" the following: "(matter deleted)";

Further be amended in section 1 in lines 6 and 7 after the word "such" by inserting the words "(matter deleted)"; and as amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 8:00 p.m. this day. Motion carried.

House recessed.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times and referred to committees:

House Joint Memorial No. 11, introduced by Sales, Hawks: A Joint Memorial of the House of Representatives and the Senate of the Legislative Assembly of the State of Montana to the Congress of the United States; Senator James E. Murray of Montana; Senator Mike Mansfield of Montana; Congressman Lee Metcalf of Montana; Congressman LeRoy Anderson of Montana; and the Commissioner of Internal Revenue of the United States; relating to the submission to the people of the United States the question of whether the federal income tax on the income of individuals should be continued. Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 339, introduced by Anderson, Angstman, Morrison, Regan, Battin, Haines (Prairie), Cavan: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 2 of article VII of the Constitution of the State of Montana, relating to the election of the officers of the executive department of the government of the State of Montana and providing that the candidates for governor and lieutenant-governor of each political party shall be so arranged on the ballot so that the electors must vote for the governor and lieutenant-governor as a unit and may not vote for the governor or lieutenant-governor separately." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 340, introduced by Gilfeather, Eskildsen: A bill for an act entitled: "An act to amend section 84-301 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 88, of the Montana Session Laws of 1957, relating to property classification of certain types of property; providing for classification of money or property used as collateral under certain circumstances; repealing section 84-308 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 172, of Montana Session Laws of 1957, relating to basis for imposition of taxes on moneys and credits, moneyed capital and bank shares; and containing a repealing clause." Referred to Committee on Ways and Means.

House Bill No. 341, introduced by Gilfeather, Eskildsen: A bill for an act entitled: "An act to amend section 84-302 of the Revised Codes of Montana, 1947, relating to the basis for imposition of taxes, to provide for certain changes in the basis for imposition of taxes; and containing a repealing clause." Referred to the Committee on Ways and Means.

House Bill No. 342, introduced by Gilfeather, Eskildsen: A bill for an act entitled: "An act to amend section 84-304 of the Revised Codes of Montana, 1947, relating to defining of moneyed capital for taxation purposes, to include money or property used as collateral for money used in any loan business which charges in excess of twelve percent (12%) per annum; and containing a repealing clause." Referred to the Committee on Ways and Means.

House Bill No. 343, introduced by Gilfeather: A bill for an act entitled: "An act amending chapter 15, title 84, Revised Codes of Montana, 1947, by adding thereto a section to be numbered 84-1501.1 imposing corporation license tax on insurance companies when gross premium tax is less than two and one fourth (2¼) per centum, providing an effective date, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 344, introduced by Gilfeather: A bill for an act entitled: "An act to amend section 25-604, of the Revised Codes of Montana, 1947, as amended by section 1, chapter 136, of the Montana Session Laws of 1951, relating to the power of county commissioners to fix salaries of deputies and assistants, to provide for uniformity of salary among the several deputies and assistants; repealing all acts or parts of acts in conflict herewith; and providing for an effective date of act." Referred to Committee on Townships and Counties.

House Bill No. 345, introduced by Barrett, Gill, Wood: A bill for an act entitled: "An act relative to the development and utilization of atomic energy for peaceful purposes in the State of Montana; to provide a definition of terms; to prohibit utilization of nuclear material unless having first complied with provisions of the atomic energy act of 1954 of the United States; to provide for continuing studies by certain state agencies; to provide for appointment of a coordinator of atomic development activities, and providing duties and salary for said coordinators; to provide for an atomic energy advisory board of the State of Montana, its membership and duties; to provide for enforcement of said act; providing for a savings clause, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 346, introduced by Babcock, Kolar, Sheehy, Gerard: A bill for an act entitled: "An act to amend subsection 3 of section 53-106 of the Revised Codes of Montana, 1947, relating to license plates and providing exempt license plates for vehicles on loan to or owned by the civil air patrol, and containing a repealing clause." Referred to Committee on Highways and Highway Transportation.

House Bill No. 347, introduced by Gilfeather, Healy, Picard, Bradford, Gunderson, Cavan: A bill for an act entitled: "An act to amend section 11-729 of the Revised Codes of Montana, 1947, as amended by section 4, chapter 76, Session Laws of 1953; relating to the salary of city attorney; repealing all acts and parts of acts in conflict herewith; and, providing for an effective date of act." Referred to Committee on Affairs of Cities.

House Bill No. 348, introduced by Cavan: A bill for an act entitled: "An act to amend section 87-148, Revised Codes of Montana, 1947, as amended by section 1, chapter 160 of the laws of 1953, as amended by section 9, chapter 164, laws of 1955, as amended by section 11, chapter 171, laws of 1957, relating to excluding from the term 'employment' covered by said act of persons performing part-time services for churches, charities, benevolent, fraternal, nonprofit societies and like associations as defined in section 15-1401, Revised Codes of Montana, 1947, repealing all acts in conflict herewith and providing that this act be effective from and after its passage and approval." Referred to Committee on Social Security.

House Bill No. 349, introduced by Cavan: A bill for an act entitled: "An act to amend section 62-102 of the Revised Codes of Montana, 1947; relating to the use of land for county parks and recreational areas and the imposition of a tax levy by the Board of County Commissioners in connection therewith; and to amend chapter 1 of title 62, Revised Codes of Montana, 1947, by adding thereto a new section to be known as section 62-103 providing for the creation of county park districts and the appointment of county park commissioners, and providing for the qualifications, appointment, organization and compensation of said county park commissioners, and providing for records and reports of said county park commission; and to amend chapter 1 of title 62, Revised Codes of Montana, 1947, by adding thereto a new section to be known as section 62-104 providing for powers and duties of the board of county park commissioners; and to amend chapter 1 of title 62, Revised Codes of Montana, 1947, by adding thereto a new section to be known as section 62-105 providing for independent or co-operative development and maintenance of county park or recreational areas; and to amend chapter 1 of title 62, Revised Codes of Montana, 1947,

by adding thereto a new section to be known as section 62-106 providing that the county treasurer shall serve as treasurer and custodian of all county park funds and that the county attorney shall act as legal adviser for the county park commission; and containing a repealing clause." Referred to Committee on Townships and Counties.

House Bill No. 350, introduced by Cavan, Battin, Babcock: A bill for an act entitled: "An act to amend section 25-605 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 22 of the Montana Session Laws of 1957, relating to salaries of county officers, to provide for two additional categories under the taxable valuation basis for setting salaries; and containing a repealing clause." Referred to the Committee on Townships and Counties.

House Bill No. 351, introduced by McGaffick, Holding, Lees: A bill for an act entitled: "A bill to amend section 16-2414 (4736), Revised Codes of Montana, 1947, as amended by chapter 108, laws of 1949, and chapter 199, laws of 1957, relating to the hours when certain county officers shall keep their offices open; repealing all acts or parts of acts in conflict herewith; and making this act effective upon its passage and approval." Referred to Committee on Townships and Counties.

House Bill No. 352, introduced by McGaffick, Holding, Sheehy, Lees: A bill for an act entitled: "A bill to amend section 59-510, Revised Codes of Montana, 1947, as amended by chapter 22, laws of 1951, and chapter 253, laws of 1957, relating to office hours of public officers; repealing all acts or parts of acts in conflict herewith; and making this act effective upon its passage and approval." Referred to Committee on State Boards and Institutions.

House Bill No. 353, introduced by Glancy: A bill for an act entitled: "An act to amend section 26-201 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 19, of the Montana Session Laws of 1953, relating to definitions under fishing and hunting licenses, to provide for including the rabbit as a game animal; to amend section 26-202.1 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 100, of the Montana Session Laws of 1957, relating to fish and game licenses, to provide for the necessity of having a certain license to hunt rabbits within the State of Montana; and containing a repealing clause." Referred to the Committee on Fish and Game.

House Bill No. 354, introduced by Holtz, Wood (by request): A bill for an act entitled: "An act requiring every person, firm, association, joint stock company and corporation engaged in cutting or removing logs or wood from lands, or standing trees from which logs or wood are taken, to pay to the State Board of Equalization for engaging in and carrying on such business a tax for the exclusive use and benefit of the State of Montana; fixing the amount of such tax; prescribing a method for the assessment and collection thereof; providing for certain exemptions; providing for hearings; providing for refunds; and prescribing penalties for violations of the provisions of this act." Referred to Committee on Ways and Means.

House Bill No. 355, introduced by Wood, Holtz (by request): A bill for an act entitled: "An act imposing a license tax on soft drinks and soft drink syrups; defining terms; providing for stamps and crowns to indicate payment of the tax; providing exemptions; prescribing method of administration by the State Board of Equalization; providing for discount on purchase of crowns and stamps; providing penalties for violation of the provisions of this act; providing for payment under protest; providing for inspections; establishing a lien; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 356, introduced by Holtz, Wood: A bill for an act entitled: "Montana Agricultural Enabling Act." "An act relating to agri-

culture and agricultural production defining terms; providing for the issuance, amendment and termination of marketing orders and agreements; providing for an advisory committee, for the creation of commodity commissions and prescribing powers and duties thereof; prescribing hearing, appeal, election and other procedures; levying assessments; providing for enforcement; and establishing penalties." Referred to Committee on Agriculture, Dairying and Horticulture.

House Bill No. 357, introduced by Healy, Powers: A bill for an act entitled: "An act to amend sections 87-106, 87-148, and 87-149, Revised Codes of Montana, 1947, as last amended by chapter 171, Session Laws of 1957, relating to unemployment compensation provisions; authorizing commission discretion in disqualification chargebacks; providing election coverage for public employees; defining terms; providing an effective date." Referred to Committee on Social Security.

House Bill No. 358, introduced by Healy, Powers: A bill for an act entitled: "An act to amend sections 87-103, 87-104, Revised Codes of Montana, 1947, as last amended by chapter 140, Session Laws of 1957, and amending section 87-109, as last amended by chapter 171, Session Laws of Montana, 1957, relating to unemployment compensation; increasing maximum potential weekly benefit amounts; increasing maximum duration of benefit payments; providing additional weeks benefits based on employee experience; restoring former classified contribution rates; increasing average percentage of such rates; increasing trust fund reserve ceiling; increasing wage coverage limit; repealing conflicting acts; providing an effective date." Referred to Committee on Social Security.

House Bill No. 359, introduced by Gilfeather, Schwinden, Gunderson: A bill for an act entitled: "An act to amend section 84-4905, Revised Codes of Montana, 1947, as amended by section 1, chapter 260, Montana Session Laws of 1955, pertaining to adjusted gross income for income tax purposes, to add as income patronage dividends, refunds and rebates and allocations of reserve to patrons from cooperatives, whether paid in cash or otherwise, provided such patronage dividends, refunds and rebates and allocations of reserve represent additional sales proceeds from a marketing cooperative or repayment of deductible expense item by a purchasing cooperative, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 360, introduced by Devier, Nichols, Moudree, Walton, Bardanoue (by request): A bill for an act entitled: "An act to amend section 5-907, Revised Codes of Montana, 1947, relating to payments by irrigation districts, and fixing payments to be made by day and hour; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banking and Insurance.

House Bill No. 361, introduced by Devier, Nichols, Moudree, Walton, Bardanoue (by request): A bill for an act entitled: "An act to amend section 5-904, Revised Codes of Montana, 1947, relating to payments by counties into state examiner's fund; providing schedule of fees to be paid for examinations; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banking and Insurance.

House Bill No. 362, introduced by Devier, Nichols, Moudree, Walton, Bardanoue (by request): A bill for an act entitled: "An act to amend section 5-906, Revised Codes of Montana, 1947, relating to payments by county free high schools, and fixing schedule of payments for examinations; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banking and Insurance.

House Bill No. 363, introduced by Devier, Nichols, Bardanoue, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 5-908, Revised Codes of Montana, 1947, relating to payments by banks, investment and trust companies, and fixing schedule for payment

for examinations by state examiner; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banking and Insurance.

House Bill No. 364, introduced by Devier, Nichols, Bardanouve, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 75-1632, Revised Codes of Montana, 1947, relating to duties of trustees of schools; providing for amendment of only sub-section 24 thereof, and making fee sixty dollars (\$60.00) per day for examinations, and deleting requirements for payment of transportation and per diem; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banking and Insurance.

House Bill No. 365, introduced by Devier, Nichols, Bardanouve, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 82-1008, Revised Codes of Montana, 1947, relating to examinations of accounts of cities, towns and certain school districts; providing a fee of sixty dollars (\$60.00) per day for such examination, and deleting requirements for payment of transportation expense; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banking and Insurance.

House Bill No. 366, introduced by Devier, Nichols, Bardanouve, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 5-905, Revised Codes of Montana, 1947, relating to payments by cities and towns, fixing amounts of fees to be paid by cities and towns for examinations; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banking and Insurance.

House Bill No. 367, introduced by Devier, Nichols, Bardanouve, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 5-910, Revised Codes of Montana, 1947, relating to special examination fees to be paid to the state examiner for such special examinations; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banking and Insurance.

House Bill No. 368, introduced by Devier, Nichols, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 14-106, Revised Codes of the State of Montana, 1947, relating to supervision of credit unions by state examiner, fee for examinations; providing for sixty dollars (\$60.00) per day fee and deleting requirements to pay transportation and per diem; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banking and Insurance.

House Bill No. 369, introduced by Devier, Nichols, Bardanouve, Moudree, Walton (by request): A bill for an act entitled: "An act to amend section 5-909, Revised Codes of Montana, 1947, relating to payments by building and loan associations under supervision of the superintendent of banks, and fixing schedule for fees; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banking and Insurance.

House Bill No. 370, introduced by Battin, Anderson, Cavan, Babcock: A bill for an act entitled: "An act repealing section 92-710, Revised Codes of Montana, 1947, relating to hernia cases." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 371, introduced by Battin, Cavan, Elting, Babcock, Anderson: A bill for an act entitled: "An act to amend section 87-103, Revised Codes of Montana, 1947, as amended by section 1 of chapter 245, Laws of Montana, 1947, by section 1 of chapter 178, Laws of Montana, 1949, by section 1 of chapter 191, Laws of Montana, 1953, by section 1 of chapter 238, Laws of Montana, 1955, and by section 1 of chapter 140, Laws of Montana, 1957, to amend section 87-104, Revised Codes of Montana, 1947, as amended by section 1, chapter 245, Laws of Montana, 1947, by section 1, chapter 178, Laws of Montana, 1949, by section 2, chapter 191, Laws of Montana, 1953, and by section 3, chapter 140, Laws of Montana,

1957, by providing additional weeks of benefits based on employee claim experience; to amend section 87-105, Revised Codes of Montana, 1947, as amended by section 3 of chapter 191, Laws of Montana, 1953, and by section 2 of chapter 238, Laws of Montana, 1955, and section 2, chapter 140, Laws of Montana, 1957, and to amend section 87-106 Revised Codes of Montana, 1947, as amended by section 4 of chapter 191, Laws of Montana, 1953, section 1 of chapter 164, Laws of Montana, 1955, and section 1 of chapter 171, Laws of Montana, 1957, all relating to unemployment compensation by providing for an increase in the minimum amount of high quarter wages, by increasing the minimum weekly benefit amount, by increasing the minimum qualifying wages, by increasing the lowest maximum total benefits, by eliminating the first five steps in the benefit schedule; by providing for a two week waiting period; providing that a claimant is disqualified for a period of five weeks in addition to the waiting period if he has voluntarily left work; and by clarifying the provisions of the law relative to unemployment due to pregnancy; repealing all acts and parts of acts in conflict with this act, and providing an effective date of this act." Referred to Committee on Social Security.

House Bill No. 372, introduced by Holtz (by request): A bill for an act entitled: "An act to amend section 14-102, Revised Codes of Montana, 1947, relating to the incorporation of credit union associations; providing for the approval of the state examiner and ex officio superintendent of banks of articles of incorporation of such association before filing with the secretary of state." Referred to Committee on Banking and Insurance.

House Bill No. 373, introduced by Holtz (by request): A bill for an act entitled: "An act to amend section 14-119, Revised Codes of Montana, 1947, relating to a credit union's power to borrow by providing that a credit union may borrow not to exceed fifty per centum (50%) of the total amount of members' shareholdings; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Banking and Insurance.

House Bill No. 374, introduced by Anderson, McGaffick, Haines (Prairie), Lees: A bill for an act entitled: "An act to amend section 84-1819 of the Revised Codes of Montana, 1947, relating to penalties for unlawfully obtaining refunds of gasoline tax and providing for the payment of tax before application for refund; and containing a repealing clause." Referred to Committee on Townships and Counties.

House Bill No. 375, introduced by Committee on State Lands, Forests and Parks: A bill for an act entitled: "An act to amend section 81-1403 of the Revised Codes of Montana, 1947, relating to state forester, appointment, compensation, term, assistants, and containing a repealing clause." Referred to Committee on State Lands, Forests and Parks.

House Bill No. 376, introduced by Committee on State Lands, Forests and Parks: A bill for an act entitled: "An act to amend section 28-101 of the Revised Codes of Montana, 1947, relating to State Board of Forestry to provide for the protection and conservation of forest resources, forest range and water, regulation of stream flow, the prevention of forest fires; to strike the restriction against payment of a salary for the state forester; and containing a repealing clause." Referred to Committee on State Lands, Forests and Parks.

House Bill No. 377, introduced by Eskildsen, Barnard, Karlberg, Abel, Barnes, Healy, Gunderson, Barrett, Woodring, Nees, McOmber, McNally, Holecek, Strnisha, Devier, Aasheim: A bill for an act entitled: "An act providing for the election of justices of the Supreme Court and judges of the District Court in the same manner and under the same laws as other state officers are elected; providing for the repeal of sections 23-2001 through, and including, 23-2014, Revised Codes of Montana, 1947, and amending section 23-1106, Revised Codes of Montana, 1947; and providing that all acts or parts of acts in conflict herewith are hereby repealed." Referred to Committee on Privileges and Elections.

House Bill No. 378, introduced by Eskildsen, Parker, DeWolfe: A bill for an act entitled: "An act to amend section 11-2402, Revised Codes of Montana, 1947, as last amended by chapter 42, Montana Session Laws of 1949, relating to definitions of authority of municipalities under municipal revenue bond act of 1939; providing authority to issue revenue bonds for presently authorized municipal purposes." Referred to Committee on Affairs of Cities.

House Bill No. 379, introduced by Tonner, Sheldon (Flathead), Langston, Glancy, Harball: A bill for an act entitled: "An act to amend section 89-103 of the Revised Codes of Montana, 1947, relating to the State Water Conservation Board, officers, meetings, quorum, employees, counsel, compensation, and providing that nothing herein contained shall be construed to be in conflict with any federal aid water development acts, and providing for the appointment and composition of said board, its fees and expenses; providing qualifications; and providing for a repealing clause and effective date." Referred to Committee on State Boards and Institutions.

House Bill No. 380, introduced by Elting, Reeder, Strnisha, Langston, Leuthold: A bill for an act entitled: "An act relating to the livestock laws of the State of Montana; providing for the preparation of a modern and adequate livestock code; providing for a codification committee consisting of three House and three Senate members and directing said committee to prepare and submit the same to the Legislative Assembly by a specified date; making a supplementary appropriation therefore; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Livestock and Public Ranges.

House Bill No. 381, introduced by Sheehy, Battin: A bill for an act entitled: "An act amending the following sections, all pertaining to county water districts, of the Revised Codes of Montana, 1947: Section 16-4508 relating to the qualifications of electors and the manner of conducting elections; section 16-4520 relating to publication of notice of election on bonded indebtedness and qualification of electors; section 16-4527 relating to the levy and payment of water district taxes, and section 16-4528 relating to the levy and collection of water district taxes; repealing all acts or parts of acts in conflict herewith; and providing a saving clause and an effective date." Referred to Committee on Irrigation and Water Conservation.

House Bill No. 382, introduced by Sheehy, Battin: A bill for an act entitled: "An act to amend section 16-1629 of the Revised Codes of Montana, 1947, relating to lighting systems in rural improvement districts, to provide optional methods of assessment of maintenance costs for lighting in said districts; containing a repealing clause; and providing an effective date." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 383, introduced by Sheehy: A bill for an act entitled: "An act relating to claims to real estate antedating January 1, 1935; providing exemption to minors and insane and providing for limitation." Referred to Committee on Judiciary.

House Bill No. 384, introduced by Sheehy: A bill for an act entitled: "An act providing contributory negligence is no bar to recovery of damages and providing that jury may diminish damages." Referred to Committee on Judiciary.

House Joint Memorial No. 12, introduced by Barnard, Gilfeather: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States, Senator James E. Murray of Montana, Senator Mike Mansfield of Montana, Congressman Lee Metcalf of Montana, Congressman LeRoy Anderson of Montana, the Committee on Interior and Insular Affairs of the United States Senate; the Committee on Interior and Insular Affairs of the United States House of Representatives, and the Secretary of Interior, Frederick B. Seaton, re-

questing the establishment of a federal Indian policy which recognizes the duty of the federal government to the American Indian. Referred to Committee on Intergovernmental Cooperation.

House Bill No. 385, introduced by Casey, Sheldon (Flathead): A bill for an act entitled: "An act amending section 69-1512 of the Revised Codes of Montana of 1947 relating to fees for inspection of boilers and for examination of applicants for engineer's license; and amending section 69-1516 of the Revised Codes of Montana of 1947 relating to renewal of certificates of license to engineers; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions.

House Bill No. 386, introduced by Daniels: A bill for an act entitled: "An act repealing sections 80-739, 80-740, and 80-741, Revised Codes of Montana, 1947, relating to commutation of sentence upon good behavior; good behavior allowance for convicts in certain employments, and forfeiture of commutation, with an exception." Referred to Committee on Judiciary.

House Bill No. 387, introduced by Daniels: A bill for an act entitled: "An act to amend section 94-7832, Revised Codes of Montana, 1947, relating to sentencing of persons found guilty of a crime or offense; containing a repealing clause and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 388, introduced by Daniels: A bill for an act entitled: "An act to amend section 94-9832, Revised Codes of Montana, 1947, relating to parole authority and procedure; to repeal section 94-9833, Revised Codes of Montana, 1947, relating to conditional release; to amend section 94-9838, Revised Codes of Montana, 1947, relating to return of parole violators; to amend section 94-9839, Revised Codes of Montana, 1947, relating to service of term for additional crime; to amend section 94-9840, Revised Codes of Montana, 1947, relating to discharge of prisoner, parolee, or conditional releasee; repealing all acts and parts of acts in conflict herewith, and containing an effective date." Referred to Committee on Judiciary.

House Bill No. 389, introduced by Holtz: A bill for an act entitled: "An act authorizing the State of Montana, acting through the Board of Examiners thereof, to enter into group hospitalization, medical, health, accident and/or group life insurance contracts or plans for the benefit of officers and employees and their dependents; limiting the state contribution to five dollars (\$5.00) per month for each officer or employer; repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions.

House Bill No. 390, introduced by McNally, Powers: A bill for an act entitled: "An act to provide for increased safety on the highways of Montana; relating to and prescribing the manner of regulating the trade of repairing motor vehicles and trailers; providing the licensing and bonding of those engaged therein; prescribing the powers and duties of certain officials therein; providing penalties; providing appropriation and fund; repealing conflicting laws." Referred to Committee on Appropriations.

House Bill No. 391, introduced by Wold, Aasheim, Bradford, Nees, Kiff: A bill for an act entitled: "An act to amend section 93-9908 of the Revised Codes of Montana, 1947, providing for the necessary allegations of a complaint in eminent domain to acquire right-of-way for highways." Referred to Committee on Judiciary.

House Bill No. 392, introduced by Wold, Bradford, Aasheim, Nees, Kiff: A bill for an act entitled: "An act to amend section 32-1615 of the Revised Codes of Montana, 1957, to define the powers, authority and procedure to be followed by the Montana State Highway Commission to establish, to acquire by purchase, or otherwise, rights of way for state highways and interstate highways, and to lay out, alter, construct, improve

and maintain state highways and interstate highways and to acquire by purchase, or otherwise, road materials and to exercise the power of eminent domain." Referred to Committee on Highways and Highway Transportation.

House Bill No. 393, introduced by Gill, Wayrynen, Gunderson, Jensen, McGaffick, Strnisha: A bill for an act entitled: "An act consenting to the acquisition by the United States of land, water or land and water, within the State of Montana for migratory bird reservations authorized by the Act of Congress of February 18, 1929, (as amended)." Referred to Committee on Fish and Game.

House Bill No. 394, introduced by Wood: A bill for an act entitled: "An act to amend section 11-966 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 34 of the Montana Session Laws of 1955, pertaining to the purposes for which indebtedness may be incurred by cities and towns, determining the extent of indebtedness for such purposes, providing that no money may be borrowed on bonds until submitted to and approved by a majority vote of the taxpayers affected thereby and including in said section the purpose 'sewage treatment and disposal plants'; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 395, introduced by Wood, Bradford: A bill for an act entitled: "An act to amend section 91-3906 of the Revised Codes of Montana, 1947, relating to final settlement, order and discharge of executors; by providing for the natural parent of a minor to receipt for bequests up to a maximum of one thousand dollars (\$1,000.00); and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 396, introduced by McGarvey, Barrett, Healy, Powers, Elting: A bill for an act entitled: "An act creating a special disability fund; providing an appropriation to establish such funds; providing self financing for fund maintenance; providing for payment of compensation for injured workman under the workmen's compensation act and reimbursement to the employer, insurer, or state fund of the amount of compensation due by reason of previously existing physical impairments; providing for administration by the Industrial Accident Board and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Appropriations.

House Bill No. 397, introduced by Shelden (Lincoln), Holding, Powers, Healy: A bill for an act entitled: "An act to provide for workman's compensation coverage for disease disabilities caused by employment; amending section 92-418, Revised Codes of Montana, 1947, defining injury; amending section 92-601, Revised Codes of Montana, 1947, providing for time within which claims must be presented; amending section 92-807, Revised Codes of Montana, 1947, relating to notice; providing a new section for protection of present employees; providing a new section for apportionment of compensation where employer can establish that a portion of the disease disability was incurred in other employment; providing apportioned payment from a special disability fund where no previous and responsible employment can be assessed; providing an effective date; repealing conflicting acts." Referred to Committee on Workmen's Compensation.

House Bill No. 398, introduced by Felt, Hawks: A bill for an act entitled: "An act to amend section 84-702, Revised Codes of Montana, 1947, relating to the qualifications and increasing the compensation of the members of the State Board of Equalization, and providing an effective date." Referred to Committee on Appropriations.

House Bill No. 399, introduced by Felt, Gerard, Anderson: A bill for an act entitled: "An act to amend section 82-504 of the Revised Codes of Montana, 1947, relating to the duties of the clerk of the Supreme Court and providing that it is the duty of the clerk to make copies of transcripts,

copies of papers or record; to make copies of Supreme Court decisions, orders or proceedings for publishers of such decisions, orders or proceedings; providing for an effective date of said act." Referred to Committee on Judiciary.

House Bill No. 400, introduced by Loman, Anderson, Schwinden, Curry: A bill for an act entitled: "An act to amend subsections (13) and (21) of section 26-104 of the Revised Codes of Montana, 1947, as amended by chapter 151 of the Laws of Montana, 1957, relating to the power and authority of the commission to acquire by purchase, condemnation, lease, agreement, gift, or devise, lands or waters suitable for certain purposes, to provide for notice before such purchase, condemnation, lease or agreement is consummated; requiring a public hearing thereon when the lands or waters are located in certain counties; and providing for submission to and approval by the electorate when the lands or waters are located in certain counties; repealing all acts or parts of acts in conflict therewith and making this act effective upon its passage and approval." Referred to Committee on Judiciary.

House Bill No. 401, introduced by Loman, Anderson, Schwinden, Gill: A bill for an act entitled: "An act to amend section 26-133 of the Revised Codes of Montana, 1947, as amended by chapter 188 of the Laws of Montana, 1953, relating to payments in lieu of taxes to counties for department owned land, to provide for such payments out of the funds of the State Fish and Game Commission to any counties wherein the State of Montana Fish and Game Department owns more than one (1) acre; repealing all acts or parts of acts in conflict therewith and making this act effective upon its passage and approval." Referred to Committee on Townships and Counties.

House Bill No. 402, introduced by Battin, Babcock, Cavan, Emmons, McGarvey: A bill for an act entitled: "An act to amend section 92-827, Revised Codes of Montana, 1947, relating to the record of proceeding before the Industrial Accident Board and providing for furnishing a copy thereof to the claimant without cost." Referred to Committee on Judiciary.

House Bill No. 403, introduced by Battin, Babcock, Cavan, Emmons: A bill for an act entitled: "An act to amend section 92-703 of the Revised Codes of Montana, 1947, as amended by section 3, chapter 234, of the Montana Session Laws of 1957, relating to payment of permanent partial and temporary partial disability, to provide that an injured employee may elect to receive his compensation on the basis established for the loss of members or on loss of function of the member injured; and providing a repealing clause." Referred to Committee on Workmen's Compensation.

House Bill No. 404, introduced by Daniels: A bill for an act entitled: "An act relating to contracts let by the State Highway Commission of the State of Montana or by any county of the State of Montana for the construction, alteration or maintenance of highways; providing in said contracts the hours of work, over time and the computation and rate of wages therefor; providing that the operation of this act upon the letting of any highway contracts as heretofore set forth in connection with funds granted or advanced by the United States of America shall be subject to the effect, if any, of related laws of the United States and valid rules and regulations of federal agencies in charge, governing use and payment of such federal funds and providing for effective date of act; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 405, introduced by Daniels: A bill for an act entitled: "An act regulating the erection, use, and maintenance of signs, advertising structures or similar devices used for the display of advertising outdoors on private property along public highways within this state; providing penalties and appropriate legal proceedings for violation of this act; and re-

pealing acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 406, introduced by Daniels: A bill for an act entitled: "An act to amend section 70-105 of the Revised Codes of Montana, 1947, relating to public utilities supplying service and extending gas mains on written request by twenty (20) or more prospective consumers, lying within an area of five (5) miles of any main line or gas service connection outlet, providing for such utilities to enter into a contract with said consumers, providing that subsequent consumers must contribute to any payment made to said utility and containing a repealing clause." Referred to Committee on Public Utilities and State Commissions.

House Bill No. 407, introduced by Glancy, Powers, Babcock, Tonner, Morrison, Jensen, McNally, Bashor: A bill for an act entitled: "An act to provide conventional and roof bolting standards for coal mining operations; prescribing procedure for adoption and use of roof support standards; specifying minimum standards of roof control and providing safety provisions; amending section 50-501, Revised Codes of Montana, 1947, pertaining to mine foremen and their duties by striking the words "timbering" and "timbers" and requiring compliance with the roof standards of this act; providing a penalty for the violation of this act; repealing section 50-466, Revised Codes of Montana, 1947, as amended by chapter 185, laws of 1949, and section 50-510, Revised Codes of Montana, 1947, and all other acts in conflict herewith; providing a severability clause and effective date of this act." Referred to Committee on Mines and Mining.

House Bill No. 408, introduced by Sheehy, Wayrynen, Picard, Wold: A bill for an act entitled: "An act to amend section 16-2026 of the Revised Codes of Montana, 1947, relating to persons entitled to vote at county bond elections, to provide that such persons must be taxpayers upon real property; and containing a repealing clause." Referred to Committee on Privileges and Elections.

House Bill No. 409, introduced by Sheehy, Wayrynen, Picard, Wold: A bill for an act entitled: "An act to amend section 75-3912 of the Revised Codes of Montana, 1947, relating to persons entitled to vote at school district bond elections, to provide that such persons must be taxpayers upon real property; and containing a repealing clause." Referred to Committee on Privileges and Elections.

House Bill No. 410, introduced by Cavan, Anderson, Battin: A bill for an act entitled: "An act to amend section 94-2507 (10959), Revised Codes of Montana, 1947, relating to the definition of voluntary and involuntary manslaughter; providing for definition of manslaughter by motor vehicle; and to amend section 94-2508 (10960), Revised Codes of Montana, 1947, relating to punishment for manslaughter; providing punishment for manslaughter by motor vehicle; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 411, introduced by Wold, Aasheim, Nees, Bradford: A bill for an act entitled: "An act to provide for the creation of a new highway commission for the State of Montana; providing for the elections of the members thereof; providing for the terms of office and the salary of the members of the commission; providing their powers, duties and qualifications; providing for appointment in the event of vacancy on the board; repealing sections 32-1601 and 32-1602 of the Revised Codes of Montana, 1947, relating to the present highway commission, its meetings, engineers, duties and bond; and containing a repealing clause." Referred to Committee on Highways and Highway Transportation.

House Bill No. 412, introduced by Felt, Wood: A bill for an act entitled: "An act to amend sections 84-5403, and 84-5409, Revised Codes of Montana, 1947, relating to the computation of net proceeds, providing for deduction of improvements, repairs and betterments over ten years; providing

new improvements, repairs and betterments reported to assessor before deduction allowed, providing for taxation and payment of royalty interests; providing for an effective date and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 413, introduced by Felt, Wood: A bill for an act entitled: "An act to amend section 84-6204, Revised Codes of Montana, 1947, relating to the computation of net proceeds, providing capital expenditures reported to assessor before deduction allowed for such expenditures, and providing for an effective date." Referred to Committee on Townships and Counties.

House Bill No. 414, introduced by Powers, Shelden, Holding, McNally, Page (Granite), Healy: A bill for an act entitled: "An act to provide for reimbursement to the Public Welfare Department for public moneys expended upon compensable and occupationally caused diseases; providing for subrogation to compensation claims; providing a lien for welfare payments to claimants and dependents; providing for determinations of causal connection; providing apportionment of any recoveries between counties and state; providing for reports; protecting rights of recipients and dependents; providing an effective date and retroactive operation." Referred to Committee on Social Security.

House Bill No. 415, introduced by Higham: A bill for an act entitled: "An act to provide that a city or town may invest moneys in special funds for which there is no immediate demand, in the purchase of outstanding city or town warrants, providing the warrants that may be so purchased, and the manner in which such warrants shall be purchased, and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 416, introduced by McGarvey, Wold, Schwinden, Raundal, Curry, Felt, Anderson, McGaffick: A bill for an act entitled: "An act providing that an owner and the members of his immediate family may do any work in his place of business; providing that any union or member thereof who interferes with or infringes on this right shall be guilty of an unfair labor practice; providing for penalties; providing for a repealing clause." Referred to Committee on Workmen's Compensation.

House Bill No. 417, introduced by Picard: A bill for an act entitled: "An act to amend section 84-1818, Revised Codes of Montana, 1947, relating to the refund of gasoline license taxes procedure for refund; to provide the eliminate refunds for a period beginning July 1, 1959 and ending July 1, 1961 and providing that all refunds normally made shall be paid by the state treasurer out of the "gasoline license drawback fund" to the state highway funds to be used by the State Highway Commission for the construction of secondary roads only; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 418, introduced by Wayrynen, Bashor, McNally, Page (Granite), Powers, Sheehy, Picard: A bill for an act entitled: "An act to provide that the Montana State Liquor Control Board shall be the wholesale liquor monopoly and that retail liquor sales shall be made by retail liquor licensees of the board and by delegating to the board the right to fix wholesale and retail prices of liquor and allowing a reasonable profit to licensees, and to abolish state liquor stores and state vendors and to amend the permit system so as to require every person purchasing packaged liquor, wherever purchased, to hold a Montana liquor permit, and by providing that the Montana Liquor Control Board shall have general control of the warehouses of the board and may delegate the same to the state liquor administrator, and by providing that retail liquor licensees shall sell liquor only at the places and times authorized by the act and the regulations of the board, and to provide that liquor permits be issued by retail liquor licensees; and to provide that identification cards must be produced by persons of ques-

tionable age prior to issuance of a permit; and to provide that state liquor warehouses sell to retail liquor licensees only; and to provide for a warehouse foreman in charge of each subwarehouse; and to provide for licensees to purchase by certified or cashier's checks, as well as cash; and to specifically amend the following listed statutes of the Revised Codes of Montana, 1947;" Referred to the Committee on State Boards and Institutions.

House Bill No. 419, introduced by Special Fish and Game Investigating Committee: A bill for an act entitled: "An act to amend section 62-301, Revised Codes of Montana, 1947, replacing the State Highway Commission with the Fish and Game Commission in the management of the state park system; amending section 62-304, Revised Codes of Montana, 1947, to except the roadside camps from control by the Fish and Game Commission; amending section 62-310, Revised Codes of Montana, 1947, and section 62-311, Revised Codes of Montana, 1947, making the Fish and Game Commission responsible for establishing and maintaining a biological station; amending section 62-314, Revised Codes of Montana, providing for violation of rules promulgated by the Fish and Game Commission relating to state parks; and containing a repealing clause." Referred to the Committee on Fish and Game.

House Bill No. 420, introduced by Sheehy: A bill for an act entitled: "An act to prescribe registration and license fees for motor buses used exclusively in urban passenger transportation systems; providing that section 53-114 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 223 of the Montana Session Laws of 1957, relating to registration of motor vehicles and fees, and section 53-122, of the Revised Codes of Montana, 1947, as amended by section 1, chapter 41 of the Montana Session Laws of 1955, shall not be applicable to urban transportation systems or vehicles; containing a repealing clause and a severability clause." Referred to Committee on Highways and Highway Transportation.

House Bill No. 421, introduced by Sheehy: A bill for an act entitled: "An act to amend section 84-1818 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 212 of the Montana Session Laws of 1955, relating to refund of gasoline tax, to include urban passenger transportation systems; defining urban passenger transportation systems; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 422, introduced by Gleed, Leuthold, Kiff, Elting, Hawks, Sales, Haines (Prairie), Gerard: A bill for an act entitled: "An act to require labor unions to elect officers by a majority vote of members and by secret ballot; to provide that the contracts of labor unions whose officers are not elected by a majority vote of the members and by secret ballot shall not be enforceable in the courts of this state; defining terms; repealing all acts and parts of acts in conflict with this act; and providing an effective date for this act." Referred to Committee on Privileges and Elections.

House Bill No. 423, introduced by McGarvey: A bill for an act entitled: "An act to amend section 4-333 of the Revised Codes of Montana, 1947, as amended, relating to the limitation of the number of retail beer licenses that may be issued by the Montana Liquor Control Board in incorporated cities and towns and in areas outside incorporated cities and towns; deleting the provision that veterans' organizations and fraternal organizations are not to be governed by such limitations; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Military Affairs.

House Bill No. 424, introduced by Wood, Barnard, Howard: A bill for an act entitled: "An act to authorize the State of Montana to become in-

debted for the sum of five million dollars (\$5,000,000.00) in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated for the construction and equipment of necessary buildings and other permanent improvements for the Montana state prison at Deer Lodge, Montana; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof; prescribing the form of such bonds and providing for a levy of an annual tax in excess of the amount prescribed by the constitution for state purposes sufficient to pay the principal thereof and the interest accruing thereon; and providing for a referendum of this act." Referred to Committee on State Boards and Institutions.

House Bill No. 425, introduced by Bardanouve: A bill for an act entitled: "An act to amend section 81-408 of the Revised Codes of Montana, 1947, relating to lease expiration dates to provide for publication in the official newspaper of each county a list of all state lands upon which leases expire on February 28 of any year, and to provide for the repeal of all acts and parts of acts in conflict herewith." Referred to Committee on State Lands, Forests and Parks.

House Bill No. 426, introduced by Bardanouve: A bill for an act entitled: "An act to amend section 81-433 of the Revised Codes of Montana, 1947, as amended by chapter 190, laws of 1949 and chapter 229, laws of 1951, relating to rental rates of state grazing lands upon the animal-unit-month basis, to provide for an increase in the rental rates of state grazing lands by use of a new formula for computation of such rates, and to provide for the repeal of all acts and parts of acts in conflict herewith." Referred to Committee on State Lands, Forests and Parks.

House Bill No. 427, introduced by Bardanouve: A bill for an act entitled: "An act to amend section 81-408 of the Revised Codes of Montana, 1947, relating to lease expiration dates and providing that the term of grazing leases on state lands shall be seven (7) years and to provide for the repeal of all acts and parts of acts in conflict herewith." Referred to Committee on State Lands, Forests and Parks.

House Bill No. 428, introduced by Bardanouve: A bill for an act entitled: "An act to amend section 81-407 of the Revised Codes of Montana, 1947 relating to who may lease state lands and how much; to provide that no association, company, or corporation authorized to hold state lands under lease, except state grazing districts, may hold more than 4,480 acres, and to provide for the repeal of all acts and parts of acts in conflict herewith." Referred to Committee on State Lands, Forests and Parks.

House Bill No. 429, introduced by Anderson, Felt, Cavan, Gleed, Wright, Gerard, Sales, Haines (Prairie), Powell, Kvaalen, Nelstead, Hawks, Hingham, Kolar, Babcock, Battin, Walton, Corcoran, Loman, Reinecke, Kiff, Paulsen, Page (Missoula), Howard, Elting, Bentz, Broeder, Haines (Missoula), Nichols. A bill for an act entitled: "An act to amend section 84-4910, Revised Codes of Montana, 1947, as amended by chapter 233, Laws of Montana, 1957, relating to exemptions in computing income tax; increasing the exemptions for taxpayers and their dependents from six hundred dollars (\$600.00) to seven hundred dollars (\$700.00) in each category; containing a repealing clause; and containing an effective date." Referred to Committee on Ways and Means.

House Bill No. 430, introduced by Cavan, Felt: A bill for an act entitled: "An act to provide for devises or bequests to a trust by will when the trust is amendable or revocable, or both, or because the trust was amended after the date of execution of the will, to provide that the property so devised or bequeathed shall not be deemed to be held under a testamentary trust, unless the will provides otherwise." Referred to Committee on Judiciary.

House Bill No. 431, introduced by McGaffick, Holecek, Strnisha, Haines (Missoula), Picard, Gleed: A bill for an act entitled: "An act to amend section 11-1918, Revised Codes of Montana, 1947, as amended by section 1, chapter 22, Laws of Montana, 1955, relating to reports of insurers authorized to do business in the State of Montana; providing for reporting of the fire portion of the direct premiums; after deducting cancellations and return premiums, in cities and towns having organized fire departments and fire department relief associations, repealing all acts and parts of acts in conflict herewith, and providing for an effective date of this act." Referred to Committee on Banking and Insurance.

House Bill No. 432, introduced by McGaffick, Holecek, Strnisha, Haines (Missoula), Picard, Gleed: A bill for an act entitled: "An act to amend section 11-2030, Revised Codes of Montana, 1947, relating to the payment of premium tax to the volunteer firemen's compensation fund, repealing all acts and parts of acts in conflict herewith, and providing for an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 433, introduced by McGaffick, Holecek, Strnisha, Haines (Missoula), Picard, Gleed: A bill for an act entitled: "An act to amend section 11-1919, Revised Codes of Montana, 1947, relating to the manner in which the state auditor of the State of Montana shall pay to the fire department relief associations, legally organized and existing in the several cities and towns in the State of Montana, their respective share of the premium taxes collected from insurers authorized to do business in the State of Montana; repealing all acts and parts of acts in conflict herewith, and providing for an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 434, introduced by McGaffick, Holecek, Strnisha, Haines (Missoula), Picard, Gleed: A bill for an act entitled: "An act to amend section 82-1231, Revised Codes of Montana, 1947, relating to fire marshal tax levy, repealing all acts and parts of acts in conflict herewith, and providing for an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 435, introduced by Anderson, Gerard, Cerovski, Bardanouve: A bill for an act entitled: "An act adopting the western interstate corrections compact for the development and execution of a program for the reciprocal confinement, treatment and rehabilitation of certain classes of convicted felons in institutions of participating states, directing cooperation of state agencies in the program, authorizing the holding of hearings requested by agencies of participating states, empowering the Governor to enter into contracts under the compact with the approval of the Board of Examiners, and repealing all acts and parts of acts in conflict herewith, and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 436, introduced by Morrison (by request): A bill for an act entitled: "An act providing for the control of radiation from machines and radioactive materials; providing definitions; providing exemptions; creating a state radiation protection council and prescribing the powers and duties of the council; providing powers and duties of the State Board of Health to administer and enforce this act; authorizing the adoption and promulgation of rules, regulations, orders and classification and radiation-protection standards; providing for public hearings; providing for confidential data; providing for registration of radiation sources; providing for appeals from orders of the Board of Health or judgment of District Courts; providing inspections and investigations; prescribing penalties for the violation of this act or any rule, regulation or order of the board or classification and radiation-protection standard of the board; authorizing the use of the injunctive remedy; containing a severability clause and repealing clause." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 437, introduced by McGarvey: A bill for an act entitled:

"An act to amend section 11-2204, Revised Codes of Montana, 1947, relating to resolution of intention, notice and materials for a special improvement district, to provide that a copy of notice of passage of resolution of intention shall be mailed to every person having real property within the proposed district listed in his name upon the last completed assessment roll for state, county and school district taxes, upon same day such notice is first published or posted; containing a repealing clause, and providing for an immediate effective date." Referred to Committee on Affairs of Cities.

House Bill No. 438, introduced by Broeder, Strnisha: A bill for an act entitled: "An act to amend section 4-349 of the Revised Codes of Montana of 1947, as last amended by chapter 51 of the laws of 1955, prohibiting brewers and beer wholesalers from supplying certain fixtures and materials to retailers and prohibiting brewers and wholesalers from having a financial interest in the business of a retailer, by clarifying section three to specify types of 'financial interest' which are prohibited, repealing all acts and parts of acts in conflict herewith, and providing this act shall be effective upon its passage and approval." Referred to the Committee on Liquor Control.

House Bill No. 439, introduced by Daniels: A bill for an act entitled: "An act to make it the duty of the mayor of any city of the third class which does not have the police commission, upon the written request of a policeman employed by the city as such for ten years or more to appoint a police commission in accordance with section 11-1804 Revised Codes of Montana, 1947; providing for procedure as set forth in section 11-1806 Revised Codes of Montana, 1947; providing for an effective date; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Affairs of Cities.

House Bill No. 440, introduced by Broeder, Battin: A bill for an act entitled: "An act to require the State Highway Department and Commission of the State of Montana, in calling for bids on new highway construction, where the department or commission has discretion to specify in the plans and specifications where the highway right-of-way is to be fenced, that wooden fence posts be used in fencing said highway right-of-way; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 441, introduced by Hawks, Wood: A bill for an act entitled: "An act to amend chapter 12 of title 23, Revised Codes of Montana, 1947, by adding thereto a new section providing for the conduct of elections under the provisions of sections 16-2202, 84-4706, 75-4505, 75-1723, 75-3801 and 75-3913, Revised Codes of Montana, 1947, and all other laws relative to elections concerning the issuance of bonds or debentures or the increasing of tax levies or the creation of debts, providing for the qualifications of voters at such elections, providing for the form of ballots at such elections, providing that three-fifths of the taxpayers and a majority of the real estate taxpayers must vote for such measures in order to adopt and approve the same; to amend chapter 3 of title 23 Revised Codes of Montana, 1947, by adding thereto a new section providing for the qualification of electors in elections involving bonds, debentures, debts and tax levies; to amend section 23-304, Revised Codes of Montana, 1947, to provide for listing of taxpayers and real estate taxpayers on the poll books; to amend sections 16-2202, 75-3804, 84-4706, 75-3913, 75-1723 and 75-4505, Revised Codes of Montana, 1947, to provide for the manner of conducting elections; repealing sections 16-2203, 84-4707, 84-4708, 84-4709, 84-4710, 75-3911, 75-3912 and 75-3914, all dealing with elections on bond or debenture issues and tax levies, repealing all acts and parts of acts in conflict herewith, and providing an effective date for this act." Referred to Committee on Judiciary.

House Bill No. 442, introduced by Daniels: A bill for an act entitled: "An act authorizing and empowering the State Board of Examiners of the State of Montana to sell and convey certain lands situate in Powell County,

Montana, described as the "Valiton Ranch" and the "Hog Ranch," said "Valiton Ranch" being more particularly described in instruments recorded in book 22, deed records of Powell County, Montana, at pages 42, 44 and 168: said "Hog Ranch" being more particularly described as section 16 in township 8 north, range 9 west, m.p.m., to the best interests of the State of Montana; providing for appraisal of said land; providing for notice of sale; providing costs of sale and expense incidental thereto to be paid out of the proceeds of the sale; and providing the net proceeds of the sale to go to the general fund; providing for an effective date and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 443, introduced by Jardine, Sheehy, Cavan: A bill for an act entitled: "An act to amend section 94-6407, Revised Codes of Montana, 1947, relating to number of offenses which may be charged in one form in criminal procedures; providing that an indictment, information, complaint or accusation may charge two or more offenses under separate counts; providing for the consolidation of two or more indictments, informations, complaints, or accusations; providing that election by prosecution is unnecessary; providing that conviction may be had on any number of offenses charged; providing for a statement in verdict, and that the court may order trial of different offenses charged separately or in groups; providing for effect of acquittal on part of courts; and containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 444, introduced by Elting: A bill for an act entitled: "An act providing that violation of the usury law is a crime and punishable as a misdemeanor; providing that the provisions of this act are in addition to, and not replacing the civil penalty provided in section 47-126 of the Revised Codes of Montana, 1947, and that, in the event of a violation, recourse may be had to this act as well as to said section 47-126; containing a repealing clause; and providing an effective date." Referred to Committee on Banking and Insurance.

House Bill No. 445, introduced by Elting, Langston, Kvaalen: A bill for an act entitled: "An act to amend section 46-212 of the Revised Codes of Montana, 1947, relating to establishment of livestock disease control areas and the entry and compulsory inspection therein, to provide for change of area boundaries to school district rather than township boundaries; providing for legislative consent when executing the provisions of this act in cooperation with a department, bureau, branch or division of the United States government; providing exceptions; containing a repealing clause; and providing an effective date." Referred to Committee on Livestock and Public Ranges.

House Bill No. 446, introduced by Healy, Sheldon (Flathead), Barnard, Woodring: A bill for an act entitled: "An act to amend section 84-2202 of the Revised Codes of Montana, 1947, as amended by chapter 221, Montana Session Laws of 1957, relating to the amount of oil producers' license tax; and containing a repealing clause, and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 447, introduced by Higham, Abel, McGaffick: A bill for an act to amend chapter 2 of title 68 of the Revised Codes of Montana, 1947, relating to creation of the public employees' retirement system and membership thereof by adding a new section to be known as section 68-204, providing for election to become members by Montana national guard employees within a fixed period of time and containing a repealing clause. Referred to Committee on Military Affairs.

House Bill No. 448, introduced by Casey, Barnard, Holding: A bill for an act entitled: "An act providing for a law to be known as section 68-802; providing that members of the public employees retirement system who are forced to retire at age sixty-five or over, having less than ten years service accumulated, be permitted to receive service retirement bene-

fits; and providing a repealing clause." Referred to Committee on Social Security.

House Bill No. 449, introduced by McGarvey (by request): A bill for an act entitled: "An act to amend section 75-3401 of the Revised Codes of Montana, 1947, relating to transportation furnished by boards of trustees of any school district or county high school; to provide for transportation of all pupils who have permission to attend school in another district and who reside one (1) or more miles distant from a public elementary or secondary school; and containing a repealing clause." Referred to Committee on Education.

House Bill No. 450, introduced by McGarvey: A bill for an act entitled: "An act to amend section 71-210 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 72, of the Montana Session Laws of 1957, relating to authority and activities of the State Department of Public Welfare, to provide for its supervision over several state institutions named in the act; providing for excepting education programs from such supervision; and providing for an appointive executive assistant and other personnel to carry out the provisions of this act; and containing a repealing clause." Referred to Committee on Social Security.

House Bill No. 451, introduced by Strnisha, Schwinden: A bill for an act entitled: "An act to amend sections 84-2601 and 84-2602 of the Revised Codes of Montana, 1947, as amended by chapter 213, Session Laws of 1957, relating to annual tax on gross income of telephone business and statement and payment of tax on gross income; providing a repealing clause and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 452, introduced by Sheldon (Flathead), Strnisha, Schwinden: A bill for an act entitled: "An act to amend section 84-1601 of the Revised Codes of Montana, 1947, as amended by chapter 214, laws of 1957, relating to the electrical energy producers' license tax." Referred to Committee on Ways and Means.

House Bill No. 453, introduced by Harball, Daniels: A bill for an act entitled: "An act authorizing any department, board, bureau, commission, institution, or other instrumentality of the State of Montana to enter into group hospitalization, medical, health, accident, or life insurance contracts for the benefit of employees of such department, board, bureau, commission, institution or other instrumentality of the State of Montana and their dependents; limiting the contribution of the department, board, bureau, commission, institution, or other instrumentality of the State of Montana to five dollars (\$5.00) per month for each employee; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions.

House Bill No. 454, introduced by Strnisha, McGaffick, Battin: A bill for an act entitled: "An act to amend sections 66-2401, 66-2402, 66-2403 and 66-2411, relating to examination and licensing of master and journeyman plumbers; providing for the deletion from each of the said sections, the reference to 'in any incorporated city or town containing more than one thousand inhabitants', and requiring any person working at the business of plumbing in the State of Montana, either as a master plumber or as a journeyman plumber, to have a state license, and repealing all acts or parts of acts in conflict herewith, and providing for an effective date." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 455, introduced by Special Committee to Study Salaries of Administrative Heads: A bill for an act entitled: "An act to provide for salary schedules for various elected officials and administrative heads, whatever title they may have, of various boards, bureaus and commissions; making it unlawful to accept a subordinate position at an increased salary to avoid the intent of this act; defining the scope of salaries; when salary paid from several funds; repealing sections 25-501, 25-502, 25-503, and 25-

505 of the Revised Codes of Montana, 1947; and containing a repealing clause." Referred to Committee on State Boards and Institutions.

House Bill No. 456, introduced by Special Committee to Study Salaries of Administrative Heads: A bill for an act entitled: "An act to amend sections 59-901 and 59-902, Revised Codes of Montana, 1947, placing upon the Governor the duty to fix and designate the number, compensation, term and tenure of all state employees; containing a repealing clause; and providing an effective date." Referred to Committee on State Boards and Institutions.

House Bill No. 457, introduced by Wood, Schwinden, Gilfeather: A bill for an act entitled: "An act to amend section 84-2202, Revised Codes of Montana, 1947, as amended by Chapter 221, Session Laws of 1957, relating to the amount of oil producers license tax, containing a repealing clause and providing for an effective date." Referred to Committee on Ways and Means.

House Bill No. 458, introduced by Wood, Schwinden, Gilfeather: A bill for an act entitled: "An act to amend section 84-1302, Revised Codes of Montana, 1947, relating to coal mines license tax and certain exceptions, providing an effective date and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 459, introduced by Gilfeather, Schwinden: A bill for an act entitled: "An act to amend section 84-2004, Revised Codes of Montana as amended by chapter 220, Session Laws of 1957, relating to metaliferous mines license tax, providing for an effective date and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 460, introduced by McGarvey, Schwinden, Wood: A bill for an act entitled: "An act to amend sections 84-4901, 84-4902, as amended by chapter 228, laws of 1957, 84-4903, 84-4905, 84-4906, 84-4910, as amended by chapter 233, laws of 1957, 84-4911, 84-4914, as amended by chapter 227 laws of 1957, 84-4915, 84-4920.1, 84-4937, 84-4938, 84-4942, 84-4954, replacement volume 5, Revised Codes of Montana, 1947, all relating to state individual income taxes and withholding of individual income tax, repealing sections 84-4907, 84-4908, 84-4909, replacement volume 5, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith and providing an effective date." Referred to Committee on Ways and Means.

House Bill No. 461, introduced by Parker, Reeder: A bill for an act entitled: "An act to amend section 91-4406 of the Revised Codes of Montana, 1947, relating to inheritance tax upon insurance payable upon the death of decedents, providing for exemption, providing for an effective date, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

House Bill No. 462, introduced by McGarvey, Harball, Strnisha, Shelden: A bill for an act entitled: "An act to amend section 84-2102 (2408.2) of the Revised Codes of Montana, 1947, as amended by chapter 205, laws of 1957, relating to natural gas distributors' license tax; fixing the amount of such license tax and prescribing the method for the assessment thereof; and providing a repealing clause." Referred to Committee on Ways and Means.

House Bill No. 463, introduced by Battin, Cavan: A bill for an act entitled: "A act providing for the levy of a tax for fire departments in cities of the first class with a population of 30,000 or over; and repealing all acts or parts of acts in conflict therewith; and providing an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 464, introduced by Battin, Cavan: A bill for an act en-

titled: "An act to amend section 84-4701 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 192, of the Montana Session Laws of 1951, relating to the limitation of tax levy for general municipal or administrative purposes in cities and towns, distribution of the funds and the limitation on the amount of tax levy for parks, swimming pools, skating rinks, playgrounds, civic centers and youth centers; to provide for lowering the limitation on the tax levy for general or administrative purposes from two (2%) per centum for all cities with a population of thirty thousand (30,000) or over to one and one-eighth (1½%) per centum; containing a repealing clause; and providing an effective date." Referred to Committee on Affairs of Cities.

House Bill No. 465, introduced by Cavan: A bill for an act entitled: "An act to amend section 16-2420 of the Revised Codes of Montana, 1947, relating to county commissioners designating class of county, to provide for said county commissioners to so classify their respective counties for the year 1959 and each two (2) years thereafter; and containing a repealing clause." Referred to Committee on Townships and Counties.

House Bill No. 466, introduced by McGaffick: A bill for an act entitled: "An act to amend section 77-1304 (a) of the Revised Codes of Montana, 1947, as amended, pertaining to the duties of the director of the state civil defense agency; to provide for an increase in the salary limitation of such director to seven thousand five hundred dollars (\$7,500.00) per year." Referred to Committee on Appropriations.

House Bill No. 467, introduced by McGaffick: A bill for an act entitled: "An act to amend section 4-108 of the Revised Codes of Montana, 1947, as amended by section 2, chapter 255 of the Montana Session Laws of 1957, relating to salaries and wages of liquor board employees, to provide for an increase in the ceiling for other employees; containing a repealing clause and providing an effective date." Referred to Committee on Appropriations.

House Bill No. 468, introduced by McGaffick: A bill for an act entitled: "An act to amend section 82-1011 (218), Revised Codes of Montana, 1947, as amended by chapter 98 of the Session Laws of the Thirty-third Legislative Assembly of the State of Montana, 1953, relating to salary and expenses of the state examiner; providing an effective date; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Appropriations.

House Bill No. 469, introduced by Cavan, Felt: A bill for an act entitled: "An act to provide for registration or transfer of securities to or by fiduciaries or their nominees; to provide that the transferring agent is not bound to inquire whether the fiduciary or nominee is committing a breach of the fiduciary relationship." Referred to Committee on Judiciary.

House Bill No. 470, introduced by Leuthold: A bill for an act entitled: "An act to require the commissioner of state lands and investments to advertise in official county newspaper state agricultural and grazing lands available for leasing; to provide that said advertisement shall be in some section other than the legal advertisement section; and to provide for a repealing clause." Referred to the Committee on State Lands, Forests and Parks.

House Bill No. 471, introduced by Devier, Daniels, Tonner, Bradford, Mernin, Woodring, Rindy: A bill for an act entitled: "An act to amend section 81-1207 of the Revised Codes of Montana, 1947, relating to term of oil lease and review of said leases every ten years; and to amend section 81-1715 of the Revised Codes of Montana, 1947, relating to bidding on oil leases that have expired and method of bidding; and repealing section 81-1708 of the Revised Codes of Montana, 1947; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Oil and Gas.

House Bill No. 472, introduced by Devier, Woodring, Bradford, Walton, Glancy, Tonner, Rindy, Mernin, Daniels, Fladager: A bill for an act entitled: "An act to amend section 81-1702.2 of the Revised Codes of Montana, 1947, as enacted by section 2, chapter 161 of the Montana Session Laws of 1955, relating to power to terminate oil leases, to provide the board of land commissioners with power to terminate leases under circumstances of delay in drilling or nonpayment of delayed drilling penalty; and containing a repealing clause." Referred to Committee on Oil and Gas.

House Bill No. 473, introduced by Wood (by request): A bill for an act entitled: "An act to amend section 27-403 of the Revised Codes of Montana of 1947, relating to definitions of words and terms used in the Montana milk control law, by specifying milk and the fluid products of milk, that any one selling milk under his own or any others brand or label be considered a distributor, defining a market, providing that grade A milk be defined; section 27-405 of the Revised Codes of Montana, 1947, relating to the general powers of the milk control board, by providing the milk control board shall have power to take depositions at its offices, agents of the board may call and give notice of price hearings when the board is not in session, and the method whereby subpoenas issued by the board may be enforced by District Courts; section 27-409 of the Revised Codes of Montana of 1947, relating to license fee of two dollars and fifty cents (\$2.50) and, in addition thereto, an annual assessment upon producer-distributors, and distributors to be made by the milk control board for the purpose of enforcing and administering this act; section 27-412 of the Revised Codes of Montana of 1947 relating to penalties for delinquency of fees and assessments; section 27-416 of the Revised Codes of Montana of 1947 relating to the disposition of license fees and fines and other funds; section 27-424, Revised Codes of Montana of 1947, relating to the enjoining of parties to a price war and the filing of a bond to insure compliance; relating to the transfer of assets; repealing all acts or parts of acts in conflict herewith; providing that this act shall be in full force and effect immediately upon its passage and approval." Referred to Committee on Agriculture, Dairying and Horticulture.

House Bill No. 474, introduced by Picard, Healy, Lees, Wood, Wayrynen, Wold, McGaffick, Strnisha, Battin, Cavan: A bill for an act entitled: "An act to allow residents and domestic corporations of the State of Montana a preference of five per centum in the awarding of public contracts by the State of Montana, or any county, city, town, school district, high school district, or other public corporation, defining "resident"; providing for an effective date; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 475, introduced by Picard, Healy, Lees, Wood, Wayrynen, Wold, McGaffick, Strnisha: A bill for an act entitled: "An act providing that whenever a contract is let by the state, or any county, city, town, school district, high school district, or other public corporation, department or commission of the state for the erection, construction, alteration, or repairing of any public building or other public structure or for making any additions thereto, or for any public work or improvements including highways, such contract shall be let, if advertisement for bids is not required, to a resident of the State of Montana; and to provide that where advertisement for bids is required the contract shall be let to the respective resident of the State of Montana making the lowest bid, if such resident's bid is not more than five (5) per cent higher than that of the lowest responsible non-resident bidder; defining a resident contractor and providing that resident contractor shall not subcontract more than twenty (20) per cent of the work covered by his contract to any non-resident contractor and providing that the operation of this act upon the letting of any public works contract as heretofore set forth, in connection with funds granted or advanced by the United States of America shall be subject to the effect, if any, of related laws of the United States and valid rules and regulations of federal agencies in charge, governing use and payment of such federal

funds and providing for effective date of act; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

House Bill No. 476, introduced by Kiff, Howard, Walton: A bill for an act entitled: "An act to amend section 75-4601 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 67 of the laws of 1957, relating to participation of additional elected members of boards of trustees of districts maintaining high schools, to provide that said additional members shall be entitled to vote on the selection of the district superintendent of schools." Referred to Committee on Education.

House Bill No. 477, introduced by Kiff, Cavan, Howard, Walton: A bill for an act entitled: "An act to amend section 75-4601, Revised Codes of Montana, 1947, replacement volume four, as amended by section 2 of chapter 67, Session Laws of Montana, 1957, relating to designation of boards of trustees of county high schools and boards of trustees of any school districts maintaining district high schools as boards of trustees of the respective high school districts; election and terms of additional trustees; division of taxable valuation of districts and authorization of trustees to undertake public works program upon resolution or petition; providing a repealing clause; and providing an effective date." Referred to Committee on Education.

House Bill No. 478, introduced by Babcock, Gerard, Gleed, Anderson, Elting, Felt: A bill for an act entitled: "An act to amend section 84-1501, Revised Codes of Montana, 1947, as amended by section 1 of chapter 232, Laws of Montana, 1957; providing for the separation of that section into two sections; eliminating the exemption granted certain cooperative corporations from the payment of Montana corporation license tax; providing for the submission of this act to the qualified electors of the State of Montana at the general election to be held in November, 1960; describing the form of ballots to be used and the duties of the secretary of state of the State of Montana relative to the submission of this act to the qualified electors of said state; providing when this act shall become effective; and repealing all acts and parts of acts in conflict with this act upon the approval of this act by a majority of the qualified electors voting thereon, and upon proclamation of the Governor." Referred to Committee on Privileges and Elections.

House Bill No. 479, introduced by Anderson, McGaffick: A bill for an act entitled: "An act to amend chapter 18, title 84 of the Revised Codes of Montana, 1947, by adding thereto a new section to be numbered 84-1802.1, and providing for the payment or the credit and setoff of the tax upon gasoline in storage on the date of increase or decrease in the rate of tax imposed on gasoline; and containing a repealing clause." Referred to Committee on Ways and Means.

House Bill No. 480, introduced by McGarvey, Paulsen: A bill for an act entitled: "An act to amend section 87-148 of the Revised Codes of Montana, 1947, as amended by chapter 171, Laws of Montana, 1957; excluding from the term employment, as defined by the unemployment compensation law, services performed by certain real estate and insurance salesmen; repealing all acts and parts of acts in conflict herewith; and providing an effective act." Referred to Committee on Banking and Insurance.

House Bill No. 481, introduced by Anderson, Felt, Cavan: A bill for an act entitled: "An act to amend section 84-2202 of the Revised Codes of Montana, 1947, relating to the amount of oil producers' license tax and reducing the amount thereof; and containing a repealing clause." Referred to Committee on Ways and Means.

House Bill No. 482, introduced by Felt: A bill for an act entitled: "An act to repeal section 82-409 of the Revised Codes of Montana, 1947, fixing the duties of attorney general in reference to escheated estates; to

amend section 91-509 of the Revised Codes of Montana, 1947, providing for service of complaint and summons on the state treasurer and State Board of Equalization; to amend section 91-512 of the Revised Codes of Montana, 1947, as amended by chapter 193, Laws of Montana of 1953, to provide that the State Board of Equalization shall have the duty to investigate and determine whether there is property in the State of Montana which should escheat to the State of Montana, to employ counsel and take all steps necessary to secure such escheat; to amend section 91-515 of the Revised Codes of Montana, 1947, relating to the manner of commencing proceedings relative to escheated estates and providing that the State Board of Equalization shall file the petition for such purpose; to amend section 91-516 of the Revised Codes of Montana, 1947, relative to appointment of receiver of rents and profits and providing that the State Board of Equalization make application for appointment of such receiver; to amend section 91-517 of the Revised Codes of Montana, 1947, relating to appearance, pleadings and trial in escheat proceedings and providing for appearance by attorney representing State Board of Equalization; to amend section 91-518 of the Revised Codes of Montana, 1947, relating to proceedings by persons claiming escheated estates, and providing for service of petition to be made upon State Board of Equalization; and providing for a repealing clause." Referred to Committee on Judiciary.

House Bill No. 483, introduced by Felt, Anderson, Gerard, Elting, Howard, Tonner: A bill for an act entitled: "An act to create a commission or group composed of four members of the Senate and four members of the House of Representatives to be appointed by the Governor, with an equal representation of each political party on such commission, to make a comprehensive study of the University of Montana, with particular reference to the fiscal policies, curricula, and the qualifications of the faculty; appropriating funds for the expense thereof and providing an effective date for this act." Referred to Committee on Education.

House Bill No. 484, introduced by Anderson: A bill for an act entitled: "An act to amend section 84-2202 of the Revised Codes of Montana, 1947, as amended by chapter 221 of the Laws of Montana, 1957, relating to the amount of the oil producers' license tax, and providing a revised formula for the computation of the rates of such tax." Referred to Committee on Ways and Means.

House Bill No. 485, introduced by Felt, Eskildsen: A bill for an act entitled: "An act to provide for a license tax of not to exceed one (1) cent per game for every game of bowling accomplished within the State of Montana; to provide that said license tax shall be paid by the 'title owners of bowling alleys' as defined in this act; to prescribe the duties of 'title owners of bowling alleys'; 'bowling alley operators', and the State Board of Equalization; to provide for collection procedures and to prescribe penalties for violation of this act; to provide that all acts or parts of acts inconsistent herewith are hereby repealed." Referred to Committee on Ways and Means.

House Bill No. 486, introduced by Jardine: A bill for an act entitled: "An act to amend section 11-614 of the Revised Codes of Montana, 1947, relating to the platting, surveying and certification of small and irregularly shaped tracts before sale, to delete certain restrictions on recording deeds of the same; and containing a repealing clause." Referred to Committee on Townships and Counties.

House Bill No. 487, introduced by Devier, Wood, Daniels, Walton: A bill for an act entitled: "An act to amend section 3-1709 of the Revised Codes of Montana, 1947, relating to reports of analyses of commercial fertilizers, expenses and how paid, to provide that five per cent (5%) of the fees collected thereunder be placed in the general fund and ninety-five per cent (95%) be placed in a fund to defray expenses for administration and enforcement of the Montana fertilizer law; providing that five per cent

(5%) of the balance in the present fund as of July 1, 1959, be placed in the general fund and ninety-five per cent (95%) thereof to remain in the fund for the continued administration and enforcement of the provisions of the Montana fertilizer law; and containing a repealing clause." Referred to Committee on Agriculture, Dairying and Horticulture.

House Bill No. 488, introduced by Loughran: A bill for an act entitled: "An act to amend section 84-4117 of the Revised Codes of Montana, 1947, relating to notice of tax sales, to provide for mailing notice to taxpayer whose property is on the delinquent list; providing for time of such notice; containing a repealing clause and providing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 489, introduced by Devier, Wood, Daniels: A bill for an act entitled: "An act to amend section 3-2004 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 42 of the Montana Session Laws of 1951 relating to fees payable for registered brands or formula of commercial feeds and the disposition thereof, to provide that five per cent (5%) of such fees be placed in the general fund, and that ninety-five per cent (95%) of such fees be placed in the fund used for the purposes specified herein and disposed of in accordance with the terms of this act; providing that five per cent (5%) of the balance in said fund as of July 1, 1959, be placed in the general fund; and containing a repealing clause." Referred to Committee on Livestock and Public Ranges.

House Joint Resolution No. 3, introduced by Leuthold, Nees, Barrett, Gerard, Wright: A Joint Resolution of the House of Representatives of the State of Montana, the Senate concurring, to the State Board of Education, requesting the said State Board of Education to raise the fees and tuition charges of non-resident students at the University of Montana. Referred to Committee on Education.

House Joint Resolution No. 4, introduced by Devier, Leuthold, Daniels: A House Joint Resolution requesting and directing the Montana Legislative Council to make a complete study of the laws, regulations and administration of the state lands and investments of the State of Montana to determine whether the maximum revenue is being derived from these lands and investments and to recommend ways in which such revenue may be adjusted if necessary. Referred to Committee on State Lands, Forests and Parks.

House Joint Resolution No. 5, introduced by Page (Missoula): A Joint Resolution of the House of Representatives and the Senate of the Thirty-sixth Legislative Assembly of the State of Montana: A resolution asking the Appropriations Committee and the Finance and Claims Committee to use the budget suggested by the state controller based upon income from the present tax structure, and asking each department head to be able to justify to the Appropriations and Finance and Claims Committees any increase beyond the controller's suggested budget. Referred to Committee on Appropriations.

House Joint Resolution No. 6, introduced by Shelden (Lincoln), Kvaalen: A Joint Resolution of the House of Representatives and the Senate of the State of Montana to the Fish and Game Commission and the Department of Fish and Game of the State of Montana; urging that the bounty now paid on the mountain lion be reduced or removed at the earliest opportunity. Referred to Committee on Fish and Game.

House Bill No. 490, introduced by Cerovski, Haines (Missoula): A bill for an act entitled: "An act to amend section 69-103 of the Revised Codes of Montana, 1947, revising the qualifications of the executive officer of the Board of Health; eliminating the necessity of a contract; eliminating the merit system of compensation for subordinate personnel; and containing a repealing clause." Referred to Committee on Public Health, Morals and Safety.

House Bill No. 491, introduced by Clowes, Battin, Cavan: A bill for an act entitled: "An act to be numbered as section 87-148.1 Revised Codes of Montana and providing that real estate brokers and real estate salesmen shall not be deemed to be covered by this act and shall not be entitled to unemployment compensation payments under this act; repealing all acts or parts of acts in conflict herewith; and providing that this act shall be effective from and after its passage and approval." Referred to Committee on Social Security.

House Bill No. 492, introduced by Cavan (by request): A bill for an act entitled: "An act to amend section 32-2143, Revised Codes of Montana, 1947, relating to reckless driving; defining and providing that every city or town in this state may enact this act as an ordinance; containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 493, introduced by Tonner, Broeder: A bill for an act entitled: "An act to amend section 84-1802 of the Revised Codes of Montana, 1947, as amended by section 2 of chapter 17, Laws of Montana, 1955, to amend section 84-1805, Revised Codes of Montana, 1947, to amend section 84-1809, Revised Codes of Montana, 1947; to amend section 84-1818, Revised Codes of Montana, 1947, as amended by section 1 of chapter 212, Laws of Montana, 1955; to amend section 84-1819, Laws of Montana, 1947, all relating to the tax and collection thereof on gasoline; providing for licenses and permits for users and dealers of gasoline; providing for the handling of fuels consumed in non-highway uses; providing procedure for obtaining deduction in purchase price by users of non-highway use gasoline; providing for enforcement and penalties; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

House Bill No. 494, introduced by MacDonald, Cerovski: A bill for an act entitled: "An act to carry out the constitutional mandate in section 11 of article XI and in sections 1, 3, 4, and 7 of article VII of the Constitution of the State of Montana establishing a board of regents to exercise general control and supervision of the State University and a board of education to exercise general control and supervision of the various other state educational institutions; providing for the powers and duties of such boards; providing for the appointment of the president of the State University; providing for the appointment of the superintendent of public instruction; repealing all provisions of law inconsistent herewith; providing for an effective date." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 495, introduced by Holtz, Curry, Gilfeather: A bill for an act entitled: "An act to amend section 11-1925, Revised Codes of Montana, 1947, as amended by chapter 194, Montana Session Laws of 1949, relating to pensions to retired firemen; providing for service retirement after 20 years; providing for limited incentive incremental retirement pay; repealing conflicting acts." Referred to Committee on Affairs of Cities.

House Bill No. 496, introduced by Cavan (by request): A bill for an act entitled: "An act to amend section 32-2144 of the Revised Codes of Montana, 1947, as enacted by section 41, chapter 263 of the Montana Session Laws of 1955, relating to speed restrictions, to provide for a speed of thirty-five (35) miles per hour in urban districts and warning signs; providing for vehicles entering highway to yield right-of-way to cars on highway; to amend section 32-2150 of the Revised Codes of Montana, 1947, as enacted by section 47, chapter 263 of the Montana Session Laws of 1955, relating to charging violations, to provide for prima facie evidence under certain circumstances; repealing sections 32-2145, 32-2146, 32-2147, 32-2148 and 32-2149 of the Revised Codes of Montana, 1947, as enacted by chapter 263 of the Montana Session Laws of 1955; and containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 497, introduced by Cavan (by request): A bill for an act entitled: "An act to amend section 32-2142 (2) of the Revised Codes of Montana, 1947, as amended by section 1, chapter 194 of the Montana Session Laws of 1957, relating to driving while under the influence of intoxicating liquor, to provide for a change of punishment for the violation of such; to repeal section 32-2142 of the Revised Codes of Montana, 1947; and containing a repealing clause." Referred to Committee on Judiciary.

House Bill No. 498, introduced by Gilfeather (by request): A bill for an act entitled: "An act to amend section 92-704 of the Revised Codes of Montana, 1947, as amended by section 3, chapter 234, of the Montana Session Laws of 1957, relating to compensation for injuries to workmen for injury causing death; relating to lump sum payments by increasing the amount thereof; providing for payment of lump sum to additional persons." Referred to Committee on Workmen's Compensation.

House Bill No. 499, introduced by McGarvey: A bill for an act entitled: "An act prohibiting the issuance of further retail liquor and/or beer licenses by the Montana Liquor Control Board; providing for the construction of this act; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Liquor Control.

House Bill No. 500, introduced by MacDonald, Cerovski: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana amendments to sections 1, 3, 4, and 7 of article VII, and to section 11, article XI of the Constitution of the State of Montana relating to the general control and supervision of the State University and the various other state educational institutions; providing for the establishment of a board of education consisting of seven members to be appointed by the Governor, subject to confirmation by the Senate; providing that the general control and supervision of state educational institutions other than the State University shall be vested in the Board of Education under regulations and restrictions to be provided by law; providing for the establishment of a board of regents consisting of seven members to be appointed by the Governor, subject to confirmation by the Senate; providing that the general control and supervision of the State University shall be vested in the board of regents under regulations and restrictions to be provided by law; providing for the appointment of the president of the State University; providing for the appointment of the Superintendent of Public Instruction; providing for a committee of recommendations; providing an effective date." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No 501, introduced by Gilfeather (by request), Barnard: A bill for an act entitled: "An act to amend section 46-212 of the Revised Codes of Montana, 1947, relating to the establishment of township disease control areas by providing for the creation of county disease control areas; containing a repealing clause and an effective date of this act." Referred to Committee on Townships and Counties.

House Bill No. 502, introduced by Gilfeather (by request), Barnard: A bill for an act entitled: "An act to declare valid and legal the creation and establishment of townships as disease control areas for the inspection, testing, treatment, or vaccination of livestock, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto, and containing an effective date." Referred to Committee on Townships and Counties.

House Bill No. 503, introduced by Battin, Emmons: A bill for an act entitled: "An act to amend section 25-604, Revised Codes of Montana, 1947, pertaining to the powers of county commissioners to fix the number and salaries of deputies by authorizing one chief deputy and not less than one deputy county attorney in all counties having eight thousand five hundred (8,500) or more registered voters; containing a repealing clause and effective date." Referred to Committee on Townships and Counties.

House Bill No. 504, introduced by Wayrynen, Sheehy, Wold, Picard, Shea: A bill for an act entitled: "An act to amend sections 4-303 and 4-414 of the Revised Codes of Montana, 1947, relating to the hours for sale of beer and liquor in establishments licensed to sell beer and liquor at retail, to provide that establishments licensed to sell beer and liquor at retail shall be closed on any days of a biennial general or primary election at which state and national officers are elected, during the hours when the polls are open, but not upon the day of any other election; repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on Privileges and Elections.

House Bill No. 505, introduced by MacDonald (by request): A bill for an act entitled: "An act to amend section 84-4902 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 228, of the Montana Session Laws of 1957, relating to rate of income tax; providing the rate of tax on net income and the surtax rates on the net income so taxable; containing a repealing clause and containing an effective date." Referred to Committee on Ways and Means.

House Bill No. 506, introduced by Wood, Gill, Barrett, Harball: A bill for an act entitled: "An act providing for a license tax on organizations, associations or entities providing television cable service to customers, or consumers, or members of receiver installations; providing for an annual license tax of ten (\$10.00) dollars per customer, consumer, or member receiver installation; providing for the first tax to be due and payable by July 31, 1959, and every year thereafter to the State Board of Equalization of the State of Montana; providing that said board shall prescribe the forms and the license to be used under this act; providing for the revocation of license for nonpayment of tax; providing for an effective date of this act; and providing for a repealing clause." Referred to Committee on Ways and Means.

House Bill No. 507, introduced by MacDonald (by request): A bill for an act entitled: "An act providing for an annual license or franchise tax on corporations, measured by or according to net income; defining the term corporation and certain other words and terms used in this act; providing for the imposition of the tax and fixing the rate for computing the tax; exempting certain corporations and providing for information returns from certain corporations; providing a minimum tax in any event of fifty dollars (\$50.00); defining gross income; excluding certain items from gross income; providing for the computation of net income and specifying deductions allowable for determining net income; specifying the deductions not allowable in computing net income; providing for the allocation of income of corporations attributable to sources both within and without this state; providing the basis for installment sales and the taxation of net income from such sales; providing for corporate distributions; providing for determination of gain or loss and recognition of gain or loss and basis for determining gain or loss; providing basis for depreciation and depletion; providing for filing returns and payment of tax; providing for determination of tax liability; providing for civil actions to recover taxes paid; providing for interest and penalties on delinquent payment or non-payment of tax; providing certain other penalties; including criminal penalties, for failure to comply with other provisions of this act; authorizing State Board of Equalization to make a correct or proper return when taxpayer fails or refuses to file a return or files a false or fraudulent return; providing for jeopardy assessment in certain cases; providing limitations for assessment of tax and filing for refunds; establishing a corporation license tax refund account; providing for methods of enforcing collection of taxes due hereunder; providing for suspension and forfeiture of corporate powers for failure to comply with this act, and revive after suspension or forfeiture; providing for consolidated returns and procedure in case of; requiring return and payment of tax on dissolution or cessation of business; providing generally for forms to be used and powers of State Board of Equalization and rules and regulations to be prescribed by said board; requiring

preservation of records by corporations and making them available on demand by the State Board of Equalization; providing that certificates of the State Board of Equalization shall constitute prima facie evidence of the facts therein stated; providing reciprocity with federal and other states' revenue officers regarding returns; providing the returns required to be filed and any amendments, substitutions, additions and corrections be public records subject to inspection only under rules and regulations to be prescribed by the State Board of Equalization; providing a saving clause; repealing sections 84-1501 to 84-1519, both inclusive, of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith; and providing for the effective date of this act." Referred to Committee on Ways and Means.

House Bill No. 508, introduced by Page (Missoula), Howard, McGarvey: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to section 9, article XIX of the Constitution of the State of Montana, relating to constitutional amendments, to provide that seven amendments may be submitted at the same election; and containing a repealing clause." Referred to Committee on Constitutional Amendments and Federal Relations.

House Bill No. 509, introduced by Parker, Aasheim, Reeder, Gleed, Sheldon (Lincoln), Leuthold, Page (Missoula), Haines (Missoula), Howard, Holtz, Raundal, Devier, Kvaalen: A bill for an act entitled: "An act to submit to the vote of the people a measure to authorize the State of Montana to become indebted in the sum of twelve million dollars (\$12,000,000.00) in excess of the constitutional limitation of indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction and equipping of necessary buildings, other permanent improvements, acquisition of necessary grounds therefor over a maximum period of twenty years in and about the University of Montana, consisting of the six units thereof now existing, namely the Montana State University at Missoula, Montana State College at Bozeman, Montana School of Mines at Butte, Western Montana College of Education at Dillon, Eastern Montana College of Education at Billings, and the Northern Montana College at Havre as well as the experiment stations for agriculture, engineering, forestry, and mining, and the agricultural extension service; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness, and for the sale thereof, prescribing the form of such bonds and for a levy of an annual tax sufficient to pay the principal thereof, and the interest accruing thereon, providing for a referendum of this act, describing the form of ballots to be used and the duties of the secretary of state of Montana relative to the submission of this act to the qualified electors of the state, and providing when this act shall take effect." Referred to Committee on Education.

House Bill No. 510, introduced by Tonner (by request): A bill for an act entitled: "An act relating to instruments and conveyances filed prior to January 1, 1935; providing for a presumption of identity in instruments wherein minor discrepancies, initials or abbreviations are used and surnames are written or sound the same." Referred to Committee on Judiciary.

House Bill No. 511, introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to amend section 82-1507, Revised Codes of Montana, 1947, by increasing the reserve fund." Referred to Committee on Agriculture, Dairying and Horticulture.

House Bill No. 512, introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to amend section 26-121 of the Revised Codes of the State of Montana, 1947, as amended by chapter 59, laws of 1927; chapter 53 laws of 1933, and chapter 114, laws of 1945, relating to the state fish and game fund; providing that only sums collected or received from the sale of hunting or

fishing licenses or permits shall be placed in the fish and game fund; providing that appropriations to the state purchasing agent and state auditor may be made from the fish and game fund for administrative work done for the fish and game commission." Referred to Committee on Fish and Game.

House Bill No. 513, introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to amend section 26-103 of the Revised Codes of the State of Montana, 1947, as amended by chapter 77, laws of 1923; chapter 192, laws of 1925 and chapter 114, laws of 1945, relating to meetings of the Fish and Game Commission and the office space provided therefore; providing that the Board of Examiners shall fix a rental charge to be paid quarterly into the general fund from the fish and game fund." Referred to the Committee on Fish and Game.

House Bill No. 514, introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to abolish the Montana Poultry Improvement Board; to provide for the transfer of all powers previously granted to the Montana Poultry Improvement Board to the Livestock Sanitary Board; to prescribe the duties and powers of the Livestock Sanitary Board; to amend sections 3-2202, 3-2204, 3-2205, 3-2207, 3-2209, and 3-2211 of the Revised Codes of Montana, 1947; to repeal sections 3-2201 and 3-2203 of the Revised Codes of Montana, 1947, and all other acts and parts of acts in conflict herewith; and to provide for an effective date of this act." Referred to Committee on Agriculture, Dairying and Horticulture.

House Bill No. 515, introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to remove the Montana State School for the Deaf and Blind from the control of the Board of Education and to place the Montana State School for the Deaf and Blind under the general supervision and control of the Superintendent of Public Instruction; to amend sections 80-102, 80-104, 80-107, 80-111, 80-114, 80-118, 80-123, 75-301 and 75-1302 of the Revised Codes of Montana, 1947, to repeal section 80-101 of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith." Referred to Committee on Education.

House Bill No. 516, introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to provide for the repeal of sections 82-1401, 82-1402, 82-1403, 82-1404, 82-1405, 82-1406, 82-1407, 82-1408 and 82-1409 of the Revised Codes of Montana, 1947, relating to the creation of the Governor's committee on reorganization and economy, the powers and duties thereof and appropriation therefore." Referred to Committee on Judiciary.

House Bill No. 517, introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to provide for the repeal of sections 79-1301, 79-1302, 79-1303, 79-1304, 79-1305, 79-1306, 79-1307 and 79-1308 of the Revised Codes of Montana, 1947, relating to the creation, compensation, powers, meetings and appropriations of the war planning and construction reserve fund and commission." Referred to Committee on Judiciary.

House Bill No. 518, introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act to provide for the repeal of sections 80-401, 80-402, 80-403 and 80-404 of the Revised Codes of Montana, 1947, relating to the creation, composition, powers, expenses, meetings and appropriations of farmers' institutes." Referred to Committee on Agriculture, Dairying and Horticulture.

House Bill No. 519, introduced by Special Committee on Consolidation of Boards, Bureaus and Departments: A bill for an act entitled: "An act

to repeal sections 82-2101, 82-2102, 82-2103, 82-2104, 82-2105, 82-2106, 82-2107, 82-2108, 82-2109, 82-2110, and 82-2111 of the Revised Codes of Montana, 1947, relating to the establishment of the Montana commission on intergovernmental cooperation, its duties, functions, membership, reports and compensation to provide the legislative council shall be a member of the commission on interstate cooperation; to provide that the State of Montana shall be a member of the council of state governments; to provide that the council of state governments is to be a joint governmental agency of the State of Montana and of other states which cooperate through it; to provide that the legislative council shall establish such delegations and committees as may be advisable, providing that members of said delegations and committees shall serve without pay, but may be reimbursed for expenses as provided by law; and providing a repealing clause." Referred to Committee on Intergovernmental Cooperation.

House Bill No. 520, introduced by Healy: A bill for an act entitled: "An act to amend section 26-202.1 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 16, and section 1, chapter 100, of the Montana Session Laws of 1957, relating to fishing and hunting licenses, to provide that only residents of the State of Montana may obtain certain special licenses; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Fish and Game.

MOTIONS AND RESOLUTIONS

Motion was made by Strnisha that the House reconsider its action in adopting an adverse committee report on House Bill No. 78. Motion carried.

Motion was made by Strnisha that House Bill No. 78 be taken from the House and rereferred to the Committee on Public Health, Morals and Safety. Motion carried.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 182, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that the House adjourn until 11:00 a.m., Friday, January 30, 1959. Motion carried. House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

TWENTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 30, 1959

House convened at 11:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Fjare, Glancy, Mernin and Sheehy, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-fifth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 169, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

January 29, 1959.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 26 and 38, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:40 o'clock a.m., delivered to the Governor for his approval.

JARDINE, Chairman.

January 29, 1959.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Joint Resolution No. 2, do hereby report that said joint resolution, together with a copy thereof, was signed by the Speaker of the House and President of the Senate and delivered to the Clerk of the House this 29th day of January, 1959.

JARDINE, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 15, respectfully report as follows: That House Bill No. 15 do not pass, but that

Substitute House Bill No. 15, introduced by Public Health, Morals and Safety Committee: A bill for an act entitled: "An act prescribing rules and regulations for numbering and registering motorboats and vessels in the State of Montana; defining terms and designating the Montana State Board of Equalization as the state agency responsible for the administration of said act in the State of Montana; providing minimum equipment requirements for motorboats and vessels; establishing safety regulations for the use and operation of motorboats and vessels in the State of Montana; establishing safety regulations for the use of water-skis, surfboards and similar devices; providing penalties for violation of said act; repealing sections 94-35-266, 94-35-267, and 94-35-268 of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with this act; providing a savings clause and effective date."

Do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 92, respectfully report as follows: That House Bill No. 92 do not pass, but that

Substitute House Bill No. 92, introduced by Public Health, Morals and Safety Committee: A bill for an act entitled: "An act providing for the admission of patients to the Montana Tuberculosis Sanitarium by providing that any person may be admitted who is suffering from tuberculosis or miner's consumption; providing for applications and order of admission; repealing section 80-210, Revised Codes of Montana, 1947, as amended by chapter 142, laws of 1953 and all acts and parts of acts in conflict therewith; and providing an effective date of this act."

Do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 93, respectfully report as follows: That House Bill No. 93 be amended as follows:

On page 6, line 6, of the original bill, after the word "condition" change the comma to a period and insert the words "after a hearing";

On page 6, line 7, after the comma, insert the words "if applicant's disease is found to be non-communicable.";

And as amended, do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 127, respectfully report as follows: That House Bill No. 127 do pass.

MORRISON, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

January 29, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 26—Introduced by Glancy, Langston, Wold and Babcock.

H. B. No. 38—Introduced by Kvaalen, Aasheim, Sales, Barnes, Walton and Schwinden.

Very truly yours,
J. HUGO ARONSON,
Governor.

January 29, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion requested that the House return to the Senate House Bills Nos. 67 and 82.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by McGarvey that House Bill No. 170 be taken from the Committee on Townships and Counties and referred to the Committee on Education. Motion carried.

Motion was made by Aasheim that House Bill No. 174 be taken from General Orders and rereferred to the Committee on Livestock and Public Ranges. Motion carried.

Motion was made by McGarvey that House Bill No. 423 be taken from

the Committee on Military Affairs and referred to the Committee on Liquor Control. Motion carried.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bill correctly enrolled: House Bill No. 37.

JARDINE, Chairman.

I have examined House Bill No. 37 introduced by me and find the same to be correct.

KVAALEN.

The Speaker signed House Bill No. 37 in open session, the title having first been read.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to the Committee on Printing:

Sub. House Bill No. 15, introduced by the Committee on Public Health, Morals and Safety: A bill for an act entitled: "An act prescribing rules and regulations for numbering and registering motorboats and vessels in the State of Montana; defining terms and designating the Montana State Board of Equalization as the state agency responsible for the administration of said act in the State of Montana; providing minimum equipment requirements for motorboats and vessels; establishing safety regulations for the use and operation of motorboats and vessels in the State of Montana; establishing safety regulations for the use of water-skis, surfboards and similar devices; providing penalties for violation of said act; repealing sections 94-35-266, 94-35-267, and 94-35-268 of the Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with this act; providing a savings clause and effective date."

Sub. House Bill No. 92, introduced by Public Health, Morals and Safety Committee: A bill for an act entitled: "An act providing for the admission of patients to the Montana Tuberculosis Sanitarium by providing that any person may be admitted who is suffering from tuberculosis or miner's consumption; providing for applications and order of admission; repealing section 80-210, Revised Codes of Montana, 1947, as amended by chapter 142, laws of 1953 and all acts and parts of acts in conflict therewith; and providing an effective date of this act."

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Haines of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Sub. House Bill No. 60 do pass.

That consideration of House Bill No. 16 be passed for the day.

That consideration of House Bill No. 85 be passed for the day.

That House Bill No. 87 be amended in section 2 by striking out in line 2, page 3 of the original bill the word "provide" and inserting on line 3, page 3, after the word "same" the words "shall be provided"; and further amended in section 2 by striking out in line 9, page 3, the word

"main" and inserting after the word "highways" the words "at the state line.";

And as so amended, do pass.

That House Bill No. 88 be amended in section 2, line 5 of the printed bill by adding after the word "grasses" the following: "whenever they believe it is practical to do so";

And as so amended, do pass.

HAINES, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed: Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 93, 115, 141, 116, 159, 97, 128 and 17, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 57, respectfully report as follows: That House Bill No. 57 do not pass, but that

Substitute House Bill No. 57, introduced by State Boards and Institutions Committee: A bill for an act entitled: "An act to amend section 5, chapter 153, of the Laws of Montana of 1955, as amended by section 1 of chapter 122 of the Laws of Montana of 1957, relating to the appointment and employment of the director, employees and salaries of the Montana State Board of Pardons and providing that all employees excepting the director shall be processed under the joint merit system regarding all personnel matters, and repealing all acts and parts of acts in conflict herewith, and providing for an effective date."

Do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 99, respectfully report as follows: That House Bill No. 99 be amended as follows:

In line 23, page 1, of the original bill, by deleting the words and figures "ten dollars (\$10.00)" and inserting in lieu thereof the words and figures "eight dollars and fifty cents (\$8.50)"

And be further amended

In line 24, page 1, of the original bill, by deleting the words and figures "fifteen dollars (\$15.00)" and inserting in lieu thereof the words and figures "twelve dollars and fifty cents (\$12.50)";

And as amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 100, respectfully report as follows: That House Bill No. 100 be amended as follows:

In line 23, page 1, of the original bill, by deleting the words and figures "ten cents (.10¢)" and inserting in lieu thereof the words and figures "eight cents (\$.08)";

And as amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 164, respectfully report as follows: That House Bill No. 164 be referred to the Judiciary Committee.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 110, 111, 114, 122, 135, 152, 165 and Sub. House Bill No. 60.

PARKER, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Battin that House Bill No. 370 be taken from the Committee on Public Health, Morals and Safety and referred to the Committee on Workmen's Compensation. Motion carried.

Motion was made by Battin that House Bill No. 402 be taken from the Committee on Judiciary and referred to the Committee on Workmen's Compensation. Motion carried.

Motion was made by Picard that House Bill No. 418 be taken from the Committee on State Boards and Institutions and referred to the Committee on Ways and Means.

Motion was made by Cerovski that the House comply with the request of the Senate and return House Bill No. 82 for further consideration. Motion carried.

Motion was made by Cerovski that the House comply with the request of the Senate and return House Bill No. 67 for further consideration. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, and referred to the Committee on Printing:

Substitute House Bill No. 57, introduced by State Boards and Institutions Committee: A bill for an act entitled: "An act to amend section 5, chapter 153, of the Laws of Montana of 1955, as amended by section 1 of chapter 122 of the Laws of Montana of 1957, relating to the appointment and employment of the director, employees and salaries of the Montana State Board of Pardons and providing that all employees excepting the director shall be processed under the joint merit system regarding all personnel matters, and repealing all acts and parts of acts in conflict herewith, and providing for an effective date."

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 110 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Barnard, Bradford, Casey, Moudree. Total 4.

Excused: Fjare, Sheehy. Total 2.

House Bill No. 111 was passed by the following vote:

Ayes: Angstman, Bardanouve, Barrett, Barnes, Bashor, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, Mernin, Morrison, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 70.

Noes: Aasheim, Abel, Anderson, Babcock, Battin, Bentz, Broeder, Casey, Elting, Kvaalen, McGarvey, McOmber, Nees, Nelstead, Powell, Reinecke, Sales. Total 17.

Absent and not voting: Barnard, Bradford, Felt, Kiff, Moudree. Total 5.

Excused: Fjare, Sheehy. Total 2.

House Bill No. 114 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 81.

Noes: Bentz, Corcoran, Eskildsen, Mernin, Moudree, Shea, Sheldon. Total 7.

Absent and not voting: Barnard, Bradford, Felt, Kiff. Total 4.

Excused: Fjare, Sheehy. Total 2.

House Bill No. 122 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve,

Barrett, Barnes, Bashor, Battin, Bentz, Broeder, Cavan, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fladager, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Clowes, Mr. Speaker. Total 84.

Noes: Holecek, Reinecke, Wright. Total 3.

Absent and not voting: Barnard, Bradford, Casey, Felt, Picard. Total 5.

Excused: Fjare, Sheehy. Total 2.

House Bill No. 135 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, Elting, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Hanks, Holecek, Holtz, Jardine, Jensen, Kolar, Kvaalen, Lees, Leuthold, Loman, McGarvey, McOmber, Morrison, Nelstead, Nichols, Page (Granite), Paulsen, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Wood, Wright, Mr. Speaker. Total 55.

Noes: Abel, Angstman, Bentz, Broeder, DeWolfe, Emmons, Eskildsen, Fladager, Glead, Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Howard, Karlberg, Loughran, McGaffick, McNally, Mernin, Moudree, Nees, Page (Missoula), Parker, Picard, Walton, Wayrynen, Woodring, Wold. Total 30.

Absent and not voting: Barnard, Bradford, Daniels, Felt, Kiff, Langston, Powers. Total 7.

Excused: Fjare, Sheehy. Total 2.

House Bill No. 152 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Fladager, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 84.

Noes: Elting, Eskildsen, Holecek, Moudree, Powell. Total 5.

Absent and not voting: Barnard, Bradford, Felt. Total 3.

Excused: Fjare, Sheehy. Total 2.

House Bill No. 165 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, Emmons, Eskildsen, Felt, Gerard, Gilfeather, Gill, Glancy, Glead,

Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: Angstman, Babcock, DeWolfe, Elting, Fladager, Hawks, Higham, Kolar, Moudree, Page (Missoula). Total 10.

Absent and not voting: Barnard, Bradford, Daniels, Haines (Prairie). Total 4.

Excused: Fjare, Sheehy. Total 2.

Sub. House Bill No. 60 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardonouve, Barrett, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright. Total 83.

Noes: Jardine, Mernin, Nees, Mr. Speaker. Total 4.

Absent and not voting: Barnard, Bradford, Daniels, Haines (Prairie), Moudree. Total 5.

Excused: Fjare, Sheehy. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Haines of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 157 do pass.

That House Bill No. 172 be amended in the title by adding in line 7 of the original bill, being the third line of the title of the printed bill, after the word "year" the word "old";

And be further amended in section 1, in line 29 of the original bill, being line 13 of the printed bill, by striking the word "holder" and inserting in lieu thereof the word "owner";

And as so amended, do pass.

That House Bill No. 173 do pass.

That House Bill No. 179 do pass.

That consideration of House Bill No. 182 be passed for the day.

That House Bill No. 27 do pass.

That Senate Bill No. 9 be concurred in.

HAINES, Chairman.

Motion was made by Haines for adoption of the Committee of the Whole report.

Substitute motion was made by Elting that House Bill No. 27 be segregated from the Committee of the Whole report, and that the report be adopted as amended. Substitute motion lost.

Motion of Haines for adoption of the Committee report carried. Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 312 and House Joint Memorials Nos. 7, 9 and 10, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by McGarvey that House Bill No. 182 be taken from General Orders and referred to the Committee on Judiciary. Motion carried.

Motion was made by Emmons that House Bill No. 479 be taken from the Committee on Ways and Means and referred to the Committee on Highways and Highway Transportation. Motion carried.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Saturday, January 31, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

TWENTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
January 31, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Angstman, Battin, Fjare, Glancy, Glead, Haines (Missoula), Hawks, Higham, Page (Granite), Reeder and Sheehy, who were excused, and Barrett, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-sixth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 37 do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the

Senate, were this day, at the hour of 2:00 o'clock p.m., delivered to the Governor for his approval.

JARDINE, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 24, respectfully report as follows: That House Bill No. 24 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 102, respectfully report as follows: That House Bill No. 102 be amended on line 23 of the original bill by striking the words and figures "seven thousand two hundred (\$7,200.00)" and inserting in lieu thereof the words and figures "six thousand (\$6,000.00)"; and as amended, do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 162, respectfully report as follows: That House Bill No. 162 be amended as follows:

In line 7, page 1, of the title of the original bill, by striking the word "assessed," and inserting in lieu thereof, the word "taxable."

And be further amended:

In line 13, page 1, of the original bill, by striking the word "assessed" and inserting in lieu thereof the word "taxable";

In line 20, page 1, of the original bill, by striking the word "assessed" and inserting in lieu thereof, the word "taxable";

And as so amended, do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 167, respectfully report as follows: That House Bill No. 167 do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 168, respectfully report as follows: That House Bill No. 168 be amended as follows:

In line 4, page 1, in the title of the original bill, after the word "fund" by adding the words, "for a period of six (6) years";

And be further amended as follows:

On line 3, page 4, of the original bill by adding the following: "provided further, that for each payroll period after July 1, 1965, the employers' contribution shall be three and fifty-one hundredths per centum (3.50%).";

And as amended, do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under

consideration House Bill No. 203, respectfully report as follows: That House Bill No. 203 be amended as follows:

In the title in lines 7 and 8 of page 1 of the original bill by deleting the following the word "years" to a ".";

In the title in line 7 and 8 of page 1 of the original bill by deleting the following words: "providing an effective date and repealing all acts in conflict herewith."

And be further amended:

In line 25 and line 26 of page 1 of the original bill by striking section 2 in its entirety.

And be further amended:

In lines 27 and 28 of page 1 of the original bill by striking section 3 in its entirety;

And as so amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 205, respectfully report as follows: That House Bill No. 205 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 206, respectfully report as follows: That House Bill No. 206 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 207, respectfully report as follows: That House Bill No. 207 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 219, respectfully report as follows: That House Bill No. 219 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 246, respectfully report as follows: That House Bill No. 246 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 271, respectfully report as follows: That House Bill No. 271 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 281, respectfully report as follows: That House Bill No. 281 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 270, respectfully report as follows: That House Bill No. 270 be amended as follows:

In the title in line 9 of page 1 of the original bill by inserting a "." after the word "clause";

And be further amended:

In the title in lines 9 and 10 of page 1 of the original bill by deleting the following words: "and providing an effective date";

And be further amended:

In line 10 and line 11 of page 2 of the original bill by striking section 4 in its entirety;

And as so amended, do pass.

DANIELS, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

January 30, 1959.

Honorable John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

H. B. No. 37—introduced by Kvaalen, Aasheim, Sales, Barnes, Walton and Schwinden.

Very truly yours,
J. HUGO ARONSON, Governor,

January 30, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House:

House Bill No. 39, by Bradford, Gilfeather.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

January 30, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Substitute for Senate Bill No. 8, by Committee on Fish and Game.

Senate Bill No. 16 by Hibbs.

Senate Bill No. 17 by Hibbs, Dussault.

Senate Bill No. 15 by Carney et al.

Senate Bill No. 31 by Mahoney (Garfield).

Senate Bill No. 53 by Harken et al.

Senate Bill No. 39 by Stein et al.

Senate Bill No. 40 by Stein et al.

Senate Bill No. 52 by Cumming et al.

Senate Bill No. 57 by Mahoney (Sanders) et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Babcock that House Bill No. 312 be taken from General Orders and be rereferred to Committee on Military Affairs. Motion carried.

Motion was made by Picard that House Bill No. 99 be taken from printing and referred to Committee on Townships and Counties. Motion carried.

Motion was made by Picard that House Bill No. 100 be taken from printing and referred to Committee on Townships and Counties. Motion carried.

Motion was made by Picard that House Bill No. 116 be taken from General Orders and rereferred to Committee on Education. Motion carried.

Mr. Speaker: We, your Committee on Printing, to whom was referred Sub. House Bill No. 92 beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

INTRODUCTION OF BILLS

The following were introduced, read first and second times, and referred to committees:

Senate Substitute for Senate Bill No. 8, introduced by Committee on Fish and Game: A bill for an act entitled: "An act authorizing the State Fish and Game Commission to issue special nonresident antelope and special nonresident deer licenses, fixing the fees, and powers and duties under such licenses, and providing that all acts and parts of acts in conflict herewith are hereby repealed." Referred to Committee on Fish and Game.

Senate Bill No. 16, introduced by Hibbs: A bill for an act entitled: "An act vesting in District Courts the exclusive jurisdiction of proceedings involving unlawful operation of motor vehicles by persons under eighteen (18) years of age; providing penalties for unlawful operation of motor vehicles by persons under eighteen (18) years of age; providing for the issuance of summons and for further proceedings before the District Court relating to unlawful operation of motor vehicles by persons under eighteen (18) years of age, and relating to enforcement of penalties imposed in such proceedings." Referred to Committee on Judiciary.

Senate Bill No. 17, introduced by Hibbs, Dussault: A bill for an act

entitled: "An act to amend section 16-3605 of the Revised Codes of Montana, of 1947, to authorize the practice of law by justices of the peace in certain instances; providing for the repeal of all acts and parts of acts in conflict therewith." Referred to Committee on Judiciary.

Senate Bill No. 15, introduced by Carney, Grandey, Beley, Nees: A bill for an act entitled: "An act to amend section 23-1808, Revised Codes of Montana, 1947, relating to the issuance of certificates of election by the clerk of the Board of County Commissioners; providing when said clerk shall make out and deliver certificates of election to elected and appointed persons (except elected district judges) signed by him and authenticated with the seal of the Board of County Commissioners; and providing that said certificates shall contain notice that the official bond of the elected or appointed official must be filed within a prescribed period of time." Referred to Committee on Privileges and Elections.

Senate Bill No. 31, introduced by Mahoney (Garfield): A bill for an act entitled: "An act to amend section 16-910, of the Revised Codes of Montana of 1947, relating to the time of and duration of the regular meetings and extra sessions of the Board of County Commissioners in counties of certain classes; providing for an extra meeting of the Board of County Commissioners to be held on the third Monday of each month of every year, except when meeting as the County Board of Equalization as provided by law; providing for a repealing clause." Referred to Committee on Townships and Counties.

Senate Bill No. 53, introduced by Harken, Dussault, Mahoney (Sanders), McDonnell: A bill for an act entitled: "An act to amend section 93-3014 of the Revised Codes of Montana, 1947, relating to the manner, time, and service of publication of summons in civil actions; providing that the clerk shall deposit a copy of the summons and complaint in the post office where residence of a non-resident or absent defendant is known and the costs thereof to be paid by the party at whose request the service is to be made; providing when publication is deemed complete; and providing for a repealing clause." Referred to Committee on Judiciary.

Senate Bill No. 39, introduced by Stein, McDonnell, Groff, Keister, Clark, Smith, Mannix: A bill for an act entitled: "An act to amend section 16-2903, Revised Codes of Montana, 1947, relating to recordation of instruments by county clerks and recorders; to permit the county clerks and recorders to preserve records by use of microfilm." Referred to Committee on Judiciary.

Senate Bill No. 40, introduced by Stein, McDonnell, Groff, Keister, Clark, Smith, Mannix: A bill for an act entitled: "An act to provide for the recordation of instruments by photostatic, microphotographic or microfilm; to provide for the disposal of original recorded instruments when reproductions are substituted therefor, to provide for copies of destroyed or disposed of originals being admissible as evidence in courts and proceedings, to provide for identification, indexing and safekeeping of copies of instruments and to provide for a repealing clause." Referred to Committee on Judiciary.

Senate Bill No. 52, introduced by Cumming, Michels, Mahoney (Sanders): A bill for an act entitled: "An act relating to the use of radio-micro waves or other electrical devices to detect speed of vehicles being operated upon the public highways of the State of Montana; providing that the speed of vehicles may be measured by use of radio-micro or other electrical device; providing that the results of such measurements shall be accepted as evidence of speed in any court or legal proceedings where the speed of a vehicle is at issue; authorizing arrests without a warrant when officer is in uniform or displays his badge of authority and when such officer has observed the recording of vehicle's speed by radiomicro waves or other electrical device or has received a radio message from another officer;

providing for the erection of signs to warn motorists; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 57, introduced by Mahoney (Sanders), Cumming, Anderson (Lincoln): A bill for an act entitled: "An act to amend section 119, chapter 263, Laws of Montana, 1955, relating to additional equipment on vehicles; by requiring safety equipment for logging vehicles and prescribing safety precautions to be taken by operators of vehicles hauling logs upon the public highways of the State of Montana; specifying the number of binders to be used and carried on such vehicles; prescribing the material of which binders shall be made; prescribing the size and strength of such binders; requiring binders to be secured around load with the use of fasteners; prescribing procedure in tightening binders with fasteners to prevent slippage or loosening of binders; prescribing maximum width limitations; prescribing loading procedure for loads which extend upward beyond the bunks or stakes; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 30, introduced by Anderson (Lincoln), LaCombe, Keister, Siderius: A bill for an act entitled: "An act to provide for snow removal in times of emergency in cities and towns; providing for a one (1) mill levy by the corporate authority of cities and towns and providing for the assessment, collection and levy of taxes for the same for the purpose of providing for an emergency snow removal fund; limiting the fund to a specified purpose; providing that the mayor of cities and towns shall have the power to declare an emergency to exist for snow removal; providing that all acts and parts of acts in conflict herewith are hereby repealed." Referred to Committee on Townships and Counties.

Senate Bill No. 36, introduced by Thiessen, Minette, Grandey, Cotton: A bill for an act entitled: "An act to amend section 75-1630, Revised Codes of Montana, 1947, relating to the transfer of school funds and providing for an increase in tuition rates for children attending elementary schools in school districts other than the districts of the childrens' residence and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 9 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanoue, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fladager, Gerard, Gilfeather, Gill, Gunderson, Harball, Healy, Holding, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 73.

Noes: Nees. Total 1.

Absent and not voting: Barrett, Clowes, Corcoran, Haines (Prairie), Hanks, Morrison, Paulsen, Sales. Total 8.

Excused: Angstman, Battin, Felt, Fjare, Glancy, Gleed, Haines (Missoula), Hawks, Higham, Page (Granite), Reeder, Sheehy. Total 12.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Ceroyski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 85 be passed for the day.

That the enacting clause be stricken from House Bill No. 16.

That consideration of House Bill No. 17 be passed for the day.

That House Bill No. 93 do pass.

That House Bill No. 97 do pass.

That House Bill No. 115 do pass.

EMMONS, Chairman.

Motion was made by Emmons for adoption of the Committee of the Whole report.

Substitute motion was made by Gerard that House Bill No. 16 be segregated from the Committee of the Whole report. He requested a roll call vote on the motion for segregation and that the vote be entered upon the Journal. There being sufficient seconds, a roll call vote was had and the motion lost by the following vote:

Ayes: Anderson, Babcock, Bentz, Broeder, Cavan, Corcoran, Elting, Felt, Fladager, Gerard, Haines (Prairie), Howard, Kiff, Kolar, Kvaalen, Leuthold, Loman, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Reinecke, Sales, Walton, Wright. Total 26.

Noes: Aasheim, Abel, Barnard, Barnes, Bashor, Bradford, Casey, Ceroyski, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Lees, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Parker, Picard, Powers, Raundal, Regan, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 55.

Absent and not voting: Bardanouve, Barrett. Total 2.

Excused: Angstman, Battin, Fjare, Glancy, Gleed, Haines (Missoula), Hawks, Higham, Page (Granite), Reeder, Sheehy. Total 11.

Motion of Emmons for adoption of the Committee report carried. Report adopted.

Ceroyski moved that House Bill No. 17 be taken from General Orders and rereferred to the Committee on Printing. Motion carried.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 27, 87, 88, 173, 179 and 157.

PARKER, Chairman.

Motion was made by Ceroyski that the House recess until 1:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

Bradford moved that consideration of House Bill No. 128, now on General Orders, be passed for the day. Motion carried.

INTRODUCTION OF BILLS

House Bill No. 521 was presented for introduction but a point of order was raised by Cerovski and referred to the Rules Committee by the Speaker.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 27 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cerovski, Corcoran, Curry, Devier, Emmons, Felt, Fladager, Gilfeather, Gunderson, Harball, Holding, Holtz, Karlberg, Kolar, Langston, Lees, Loman, McGaffick, McGarvey, McNally, Morrison, Page (Missoula), Parker, Powers, Raundal, Regan, Shelden, Sheldon, Strnisha, Tonner, Wood, Wold, Mr. Speaker. Total 44.

Noes: Aasheim, Clowes, DeWolfe, Elting, Haines (Prairie), Hanks, Healy, Jardine, Kiff, Kvaalen, Leuthold, Moudree, Nelstead, Powell, Reincke, Rindy, Sales, Schwinden, Walton, Wright. Total 20.

Paired: McOmber, aye; Reeder, no.

Absent and not voting: Barrett, Daniels, Eskildsen, Gerard, Howard, Loughran, Mernin, Nees, Nichols, Picard, Shea, Wayrynen, Woodring. Total 13.

Excused: Angstman, Battin, Cavan, Fjare, Gill, Glancy, Gleed, Haines (Missoula), Hawks, Higham, Holecek, Jensen, Page (Granite), Paulsen, Sheehy. Total 15.

House Bill No. 88 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Barnes, Casey, Cerovski, Clowes, Devier, Emmons, Eskildsen, Gilfeather, Gunderson, Hanks, Harball, Healy, Holding, Holtz, Karlberg, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Nees, Page (Missoula), Parker, Picard, Powers, Raundal, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 46.

Noes: Anderson, Babcock, Bashor, Bentz, Bradford, Broeder, Corcoran, Curry, DeWolfe, Elting, Felt, Haines (Prairie), Jardine, Kiff, Kolar, Morrison, Nelstead, Powell, Regan, Reinecke, Sales. Total 21.

Absent and not voting: Barrett, Daniels, Fladager, Gerard, Howard, Langston, McGaffick, Moudree, Nichols, Woodring, Mernin. Total 11.

Excused: Angstman, Battin, Cavan, Fjare, Gill, Glancy, Gleed, Haines (Missoula), Hawks, Higham, Holecek, Jensen, Page (Granite), Paulsen, Reeder, Sheehy. Total 16.

House Bill No. 87 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Gilfeather, Gunderson, Hanks, Harball, Healy, Holding, Holtz, Karlberg, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Morrison, Nees, Page (Missoula), Parker, Powers, Raundal, Regan, Rindy, Sales, Shea, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 56.

Noes: Anderson, Babcock, Elting, Gerard, Haines (Prairie), Jardine, Kiff, Kolar, Moudree, Nelstead, Powell, Reinecke, Schwinden. Total 13.

Absent and not voting: Barrett, Daniels, Fladager, Howard, Mernin, Nichols, Picard, Woodring, Loughran. Total 9.

Excused: Angstman, Battin, Cavan, Fjare, Gill, Glancy, Gleed, Haines (Missoula), Hawks, Higham, Holecek, Jensen, Page (Granite), Paulsen, Reeder, Sheehy. Total 16.

House Bill No. 173 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Gerard, Gilfeather, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Holding, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Shea, Sheldon, Sheldon, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 64.

Noes: Abel, Fladager, McGaffick, Schwinden, Strnisha. Total 5.

Absent and not voting: Barrett, Daniels, Holtz, Howard, McOmber, Mernin, Nichols, Picard, Woodring. Total 9.

Excused: Angstman, Battin, Cavan, Fjare, Gill, Glancy, Gleed, Haines (Missoula), Hawks, Higham, Holecek, Jensen, Page (Granite), Paulsen, Reeder, Sheehy. Total 16.

House Bill No. 179 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Felt, Fladager, Gerard, Gilfeather, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Holding, Holtz, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nelstead, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 70.

Noes: None.

Absent and not voting: Barrett, Daniels, Eskildsen, Howard, Mernin, Nees, Nichols, Woodring. Total 8.

Excused: Angstman, Battin, Cavan, Fjare, Gill, Glancy, Gleed, Haines (Missoula), Hawks, Higham, Holecek, Jensen, Page (Granite), Paulsen, Reeder, Sheehy. Total 16.

House Bill No. 157 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barnard, Barnes,

Bashor, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Helding, Holtz, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 71.

Noes: Sheldon, Wayrynen. Total 2.

Absent and not voting: Barrett, Daniels, Howard, Mernin, Woodring. Total 5.

Excused: Angstman, Battin, Cavan, Fjare, Gill, Glancy, Gleed, Haines (Missoula), Hawks, Higham, Holecek, Jensen, Page (Granite), Paulsen, Reeder, Sheehy. Total 16.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 141 be amended in the title by adding at the end of the title the words "providing an effective date."; and as so amended, do pass.

That House Bill No. 159 do pass.

That House Bill No. 169 do pass.

That House Joint Memorial No. 7 do pass.

That consideration of House Joint Memorial No. 9 be passed for the day.

That House Joint Memorial No. 10 do pass.

EMMONS, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 318, respectfully report as follows: That House Bill No. 318 do pass.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 487, respectfully report as follows: That House Bill No. 487 do pass.

HOLTZ, Chairman.

Report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Monday, February 2, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

TWENTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 2, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Angstman, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-seventh Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bill correctly enrolled: House Bill No. 39.

JARDINE, Chairman.

I have examined House Bill No. 39 introduced by me and find the same to be correct.

BRADFORD.

The Speaker signed House Bill No. 39 in open session, the title having first been read.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration Senate Joint Memorial No. 1, respectfully report as follows: That Senate Joint Memorial No. 1 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 93, 97, 141, 169, 172, House Joint Memorial No. 10, and House Bills Nos. 115 and 159 considered engrossed.

PARKER, Chairman.

MESSAGES FROM THE GOVERNOR AND SENATE

January 31, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title

and history agreed to, and the same is herewith returned to the House:

House Bill No. 11 introduced by McGarvey et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

January 31, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills, Senate Joint Resolutions and Senate Joint Memorial were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 71 by Harken et al.

Senate Bill No. 79 by Cole.

Senate Bill No. 47 by Nixon et al.

Senate Joint Resolution No. 1 by James, Hibbs.

Senate Joint Resolution No. 2 by Beley et al.

Senate Joint Memorial No. 2 by Sagunsky.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 2, 1959.

Honorable John J. MacDonald,
Speaker of the House of Representatives,
State Capitol
Helena, Montana.

Dear Sir:

This Legislature has an opportunity to vote for equality. I hope all of us are familiar with the problem concerning public welfare spending in our state. At the present time just a few counties receive most of the general relief funds. Yet all 56 counties contribute these funds, through taxes. Only two counties have hospitals, but all 56 counties help support them.

I have already referred to this matter in my State of the State message. However, I think it is important at this time to point out that passage of legislation embodying the principles in my message, such as House Bills 16 and 17 would enable the State Department of Public Welfare to reduce its request for grant in aid funds by \$1,162,000.

This is over one million dollars that will not come out of the state's general fund. You are all familiar with the general fund deficit and the need for a balanced budget. This is a definite step in the right direction.

Legislation such as House Bills 16 and 17 will give counties an opportunity to finance their own poor fund obligations to a much greater extent. This is certainly preferable to letting all counties pay for the constant burdens of a small minority. Admittedly, the money would still have to come from taxes. However, the point is that it should come from the counties where the obligation is incurred, as a matter of equalization.

Without bills such as these, the grant in aid fund for the State Department of Public Welfare will have to be in excess of two million dollars for

the next biennium. For previous bienniums this fund has been approximately \$400,000. Practically all of the increase will go to just two counties. This is not fair to the other 54 counties.

Therefore, I urge approval of legislation such as this in the interests of fairness and equality.

Very truly yours,
J. HUGO ARONSON,
Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Fladager that House Bill No. 295 be taken from the Committee on Education and referred to the Committee on State Lands, Forests and Parks. Motion carried.

Motion was made by Barrett that the Special Committee to investigate election offices be given until the Thirty-sixth Legislative Day to make their report. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 71, introduced by Harken, Cumming, Nees: A bill for an act entitled: "An act to amend section 31-155, Revised Codes of Montana, 1947, relating to additional penalty for persons who drive while privilege to do so is suspended and prohibiting board from issuing license to person whose license is revoked; providing for additional like period of revocation for persons convicted of driving while privilege to do so is revoked; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 79, introduced by Cole: A bill for an act entitled: "An act to amend section 53-427, Revised Codes of Montana, 1947, relating to the custody, disposition and return of security posted in compliance with safety responsibility provisions; providing that after five (5) years unclaimed deposits shall be transferred to the state general fund; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 47, introduced by Nixon, Nees, Lehrkind, McDonnell: A bill for an act entitled: "An act to amend section 71-509 of the Revised Codes of Montana, 1947, relating to periodic reconsideration and changes in amount of aid to dependent children assistance, to provide for an investigation of the manner in which assistance payments are being utilized by the recipient, and providing for the appointment by the District Court of the recipient as guardian of the assistance grant in behalf of the child or children, to insure use of such grants for the needs of the child or children and providing for rendering accounts by such guardian to the court; providing for the termination of such guardianship; providing an effective date, and repealing all acts and parts of acts in conflict." Referred to Committee on Social Security.

Senate Joint Resolution No. 1, introduced by James, Hibbs: A joint resolution of the Senate and House of Representatives of the State of Montana to the First Legislative Assembly of the State of Alaska, to its officers and members thereof, congratulating the First Assembly of the State of Alaska on its initial session and offering and extending to the Assembly the aid, cooperation and help of the Senate and House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana; and extending an invitation to the officers and members of the First

Legislative Assembly of the State to Alaska to visit the Thirty-sixth Legislative Assembly of the State of Montana now in session; directing the Secretary of the Senate to forward copies of this resolution to the First Legislative Assembly of the State of Alaska. Referred to Committee on Intergovernmental Cooperation.

Senate Joint Resolution No. 2, introduced by Beley, Cumming, Durkee: "A Resolution by the Senate of the Thirty-sixth Legislative Assembly of the State of Montana to the Honorable Dwight D. Eisenhower, President of the United States; to the Honorable Neil McElroy, Secretary of Defense; to the President of the Senate of the United States; to the Speaker of the House of Representatives of the United States; to the Honorable James E. Murray, Senator from Montana; to the Honorable Mike Mansfield, Senator from Montana; to the Honorable Lee Metcalf, Congressman from Montana; to the Honorable LeRoy Anderson, Congressman from Montana; to the Honorable Richard B. Russell, Senator from Georgia and Chairman of the Senate Armed Services Committee; and to the Honorable Carl Vinson, Congressman from Georgia and Chairman of the House of Representatives Armed Services Committee urging that the President and the Congress assure the people of the State of Montana that the National Guard of the United States as recognized and established in the Constitution and Laws of the United States will be preserved; and that no unilateral federal action concerning the National Guard of the United States reducing in strength or units will be taken without prior consultation and approval of the state acting by and through the Governor thereof." Referred to Committee on Military Affairs.

Senate Joint Memorial No. 2, introduced by Sagunsky: A Joint Memorial of the Senate and the House of Representatives of the State of Montana to the Congress of the United States; Honorable James E. Murray and Honorable Mike Mansfield, United States Senators of Montana; Honorable Lee Metcalf and Honorable LeRoy Anderson, members of the House of Representatives of Montana, the Committee on Interior and Insular Affairs of the United States Senate; the Committee on Interior and Insular Affairs of the United States House of Representatives; the Secretary of the Interior; and the United States Commissioner of Reclamation, urging that the Congress reject the program of the United States Bureau of Reclamation, as set forth in its report on the Three Forks division, Missouri River basin project, insofar as it relates to the diversion of water from the Madison River and that the Congress assure the preservation of recreational and fishery resources values of the Madison River valley. Referred to Committee on Fish and Game.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 93 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: Angstman, Hawks, Kolar, Mernin, Sheehy.
Total 5.

Excused: None.

House Bill No. 97 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Healy, Holding, Higham, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Loughran, McGaffick, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Rindy, Sales, Shea, Shelden, Sheldon, Stranisha, Tonner, Walton, Wayrynen, Wold. Total 64.

Noes: Aashiem, Bardanouve, Barrett, Barnard, Barnes, Daniels, Devier, Elting, Fladager, Harball, Holecek, Holtz, Leuthold, McGarvey, McNally, McOmber, Moudree, Parker, Reinecke, Schwinden, Wood, Wright, Mr. Speaker. Total 23.

Absent and not voting: Angstman, Gill, Hawks, Loman, Mernin, Sheehy, Woodring. Total 7.

Excused: None.

House Bill No. 141 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 86.

Noes: Elting, Fladager, Parker. Total 3.

Absent and not voting: Angstman, Hawks, Mernin, Moudree, Reeder.
Total 5.

Excused: None.

House Bill No. 169 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Angstman, Hawks, McGaffick, Mernin, Reeder, Sheehy. Total 6.

Excused: None.

House Bill No. 172 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 91.

Noes: None.

Absent and not voting: Angstman, Mernin, Reeder. Total 3.

Excused: None.

House Joint Memorial No. 10 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: Anderson, Battin, Elting, Felt, Gerard, Haines (Prairie), Jardine, Kvaalen, Raundal, Schwinden. Total 10.

Absent and not voting: Angstman, Bardanouve, Loman, Mernin, Sales, Tonner. Total 6.

Excused: None.

House Bill No. 115 was passed by the following vote:

Ayes: Abel, Babcock, Barnard, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Curry, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gilfeather, Glancy, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Paulsen, Powell, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheldon, Walton, Wayrynen, Woodring, Wold, Wright. Total 57.

Noes: Aasheim, Anderson, Bardanouve, Barrett, Barnes, Cerovski, Clowes, Daniels, Devier, Eskildsen, Gerard, Gill, Glead, Gunderson, Holecek, Holtz, Howard, Jardine, McGarvey, McNally, McOmber, Nichols, Parker, Picard, Powers, Raundal, Schwinden, Shelden, Strnisha, Wood, Mr. Speaker. Total 31.

Absent and not voting: Angstman, McGaffick, Mernin, Page (Granite), Sheehy, Tonner. Total 6.

Excused: None.

House Bill No. 159 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barrett, Barnard, Barnes, Bashor, Casey, Cerovski, Clowes, Daniels, Devier, DeWolfe, Elting, Emons, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Langston, Lees, Loughran, McGaffick, McGarvey, McNally, McOmber, Nees, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 68.

Noes: Babcock, Bentz, Bradford, Broeder, Cavan, Corcoran, Curry, Eskildsen, Felt, Haines (Prairie), Kiff, Kolar, Kvaalen, Leuthold, Loman, Morrison, Nelstead, Reinecke, Sales, Walton. Total 20.

Absent and not voting: Angstman, Battin, Mernin, Moudree, Paulsen, Tonner. Total 6.

Excused: None.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Page of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 85 do pass.

That consideration of House Bill No. 128 be indefinitely postponed.

PAGE, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill Nos. 17 and 127, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 39, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the

Senate, was this day, at the hour of 11:30 o'clock a.m., delivered to the Governor for his approval.

JARDINE, Chairman.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your committee appointed to study the salaries paid to administrative heads of boards, bureaus and commissions, beg leave to report as follows:

Your committee proceeded with its arduous task by obtaining the names of various boards, bureaus and offices in our state government and the amount paid in salary to the person who heads each particular board, bureau or office. This information is attached to this report as "Exhibit A."

"Exhibit A" segregates the various administrative heads into four categories, namely, (1) elected officials with salaries set by law, (2) appointed by boards and commissions with the salaries set by law, (3) appointed by the Governor with salaries set by law, and (4) appointed by boards and commissions with the salaries set by the boards and commissions.

We noted that in comparison the salaries set by law are lower than those set by the board, bureau or commission that hires the administrative head, whatever his title might be. We noted further that the salaries of the elected officials are very little, if any, higher than the salaries paid to appointed administrators, even though both of their salaries are set by law. It was a feeling of this committee that revision of the salary schedule is necessary so that the various officials and administrators might be paid in accordance with the duties and responsibilities that each has to perform. To properly correlate this schedule, the salary of the Governor and other elected officials was used as a base. Since many of the appointed officials receive more in pay than those elected, the choice had to be made between increasing the compensation of the elected officers, or decreasing the compensation of those appointed. Using the rate of pay in several western states as a guide, your committee recommends that the salary of the elected officials be moderately increased and those appointed be raised or lowered to correspond with the duties the office requires he perform.

Many have argued that salaries should be increased in order to obtain the best man for the job. This argument is fallacious, in that the pay of the elected officials is by comparison very low and, yet, there doesn't seem to be a lack of applicants.

Presently, there are sections scattered throughout the codes providing either for a specific salary that shall be paid an administrator, or that a board or commission be empowered to appoint and set the salary of its administrative head. From time to time, increases are allowed by the Legislature to individual heads without using any rule to correlate that increase. We propose that the stipend of all department heads, whether they be elected or appointed, be itemized in one section of the code, so that any time in the future that an increase is allowed, it would first have to be substantiated along side the pay of other officials.

In our brief examination of the records, we find several administrators who obtain their pay from several funds. This is done in cases where work is done for more than one department. Because of this intermingling, control on salary increases has been difficult to maintain.

There are several special boards that operate on a revolving fund. In most of these cases, there is a board appointed by the Governor and this board, in turn, hires full-time assistant. They collect fees and it is placed in a revolving fund, to be spent by the particular board as they see fit.

The Legislature does not limit that spending; the appropriation reads "As much as may be necessary to pay all lawful claims as provided by law." Many such boards with revolving funds have surpluses. For instance: the Aeronautics Commission account has a balance of \$175,541.00, the Fish and Game Commission a surplus of over a million dollars and the Oil and Gas Conservation Commission has \$66,818.00 left over from last year. With that kind of surplus, it is easy for an administrative head to convince his board that he is entitled to an increased salary.

We noted that the Board of Examiners, under section 59-901, Revised Codes of Montana, 1947, is charged with the duty of fixing the salary of all employees in the various boards and bureaus. Because of the many other tasks that the Board of Examiners have to perform, they find it impossible to review every claim for pay raise. This function has more or less become a rubber stamp approval. This has given the administrative head an excuse; he can refer to the approval given him by the Board of Examiners. This practice should be stopped and the approval of pay raises should be placed in the hands of the Governor, because, generally, it involves some board or commission that he has appointed and that he is responsible for.

Attached to this report is a schedule marked "Exhibit B" which contains the number of employees, amount paid and the annual salary presently paid the head of the department.

Your committee recommends that two bills be introduced that would in effect do the following:

1. Place the responsibility of increasing administrative salaries in the Governor.
2. Set by law the salaries of several administrative heads presently set by the Board or commission that appoints them.

EXHIBIT A

PRESENT ANNUAL SALARIES OF VARIOUS ADMINISTRATIVE HEADS: ELECTED OFFICIALS—SALARY SET BY LAW

Governor	\$12,500
Supreme Court	11,000
Attorney General	9,000
State Auditor	7,500
Superintendent of Public Instruction.....	7,500
Railroad Commission.....	7,500
Treasurer	7,500
Secretary of State	7,500

APPOINTED BY BOARDS AND COMMIS- SIONS—SALARY SET BY LAW

Administrative Head of Grass Conservation Commission	\$ 6,000
Supervisor of Highway Patrol	7,000
Administrator of Liquor Control Board.....	7,000
Director of Board of Pardons	7,000
Chairman, Department of Public Welfare.....	8,400

APPOINTED BY GOVERNOR— SALARY SET BY LAW

Commissioner of Agriculture	\$ 7,000
Capitol Custodian	5,400
Director of Civil Defense Agency.....	6,600
Controller	7,000
Engineer, State	7,200

Members of State Board of Equalization.....	7,000	
State Examiner	7,000	
State Forester	7,000	
Chairman of Hail Insurance Board.....	4,800	
Indian Affairs Coordinator	1,200	amended by App.
Chairman of Industrial Accident Board.....	7,000	
Commissioner of Labor and Industry.....	7,000	
Chairman of Unemployment Compensation Commission	9,000	salary set by Fed. Aid funds.

APPOINTED BY BOARDS AND COMMISSIONS—SALARY SET BY BOARDS AND COMMISSIONS

Head of Adjusted Compensation Commission....	\$ 8,400	
*Director of Aeronautics Commission.....	9,000	
*Executive Clerk of Board of Examiners.....	8,100	
*Executive Secty. of University of Montana.....	7,600	
*Fish and Game Director	9,600	
*Executive Officer, Health, Board of.....	14,800	
*State Highway Engineer	12,600	
*Librarian for State Historical Society	7,400	
Head of Joint Merit System	7,800	
Law Librarian	4,800	
*Secty. to Library Extension Commission.....	7,200	
*Secty. to Livestock Commission	9,000	
*Veterinary Surgeon, Livestock Sanitary Board	9,000	
*Executive Secty. to Milk Control Board.....	6,000	
Executive Secty. to Nurses Examining Board	5,700	
*Executive Secty., Oil and Gas Conservation Commission	8,400	
*Director of State Parks	7,900	
PBX Division	4,800	
Head of Plumbers Examining Board	3,600	
*Executive Officer, Poultry Improvement Board	6,000	
*Secretary, Public Employees Retirement System	8,200	
*Executive Secty., Soil Conservation Commis- sion	6,500	
Head of Teachers Retirement System	7,200	
*Director, Veterans Welfare Commission.....	7,200	
*Director of Vocational Rehabilitation	7,800	
*Secretary, Water Conservation Board	8,100	
Institution Heads of		
School for Deaf and Blind	7,500	
Home for Senile	5,000	(one meal per day)
State Industrial School	7,500	(\$135 per mo. sub.)
State Orphans Home	5,500	(full sub.)
State Training School	8,820	(full sub.)
State Vocational School for Girls	5,500	(full sub.)
State Soldiers Home	4,600	(full sub.)
State Prison (salary set by law).....	7,500	(full sub.)
Training School (Boulder)	9,180	(full sub.)
T. B. Sanatorium (Galen)	12,000	(full sub.)
State Hospital (Warm Springs)	11,000	(full sub.)

*Suggested that salaries for these officers be set by law.

EXHIBIT B

	No. of Employees 1937	Amount Paid	No. of Employees 1938	Amount Paid	Present Salary Head of Department
Adjusted Compensation Division	2	\$		\$	\$ 8,400.00
Adjutant General	18	4,800.00	27	108,120.00	
Aeronautics Commission	4	56,806.00	20	58,674.00	9,000.00
Department of Agriculture	77	22,800.00	8	34,500.00	7,000.00
Apprenticeship Council	4	232,830.76	81	297,720.04	
Architectural Examiners	2	900.00	4	19,440.00	
Attorney General	9	45,060.00	2	900.00	9,000.00
Auditor, State	19	84,900.00	12	73,280.00	7,500.00
Capitol Custodian	57	167,334.00	19	103,500.00	5,400.00
Civil Defense	2	7,500.00	61	189,323.00	6,600.00
Chiropractic Examiner	3		4	20,400.00	
Controller	26	98,800.00	3		7,000.00
Engineer, State	20	78,080.00	26	110,750.00	7,200.00
Labor and Industry	2	9,440.00	16	66,450.00	6,000.00
Entomologist, State	4	14,250.00	2	9,300.00	
Equalization, Board of	101	337,019.88	4	14,650.00	
Examiners, Bank	14	73,876.00	101	384,959.88	7,000.00
Examiners, Board of	11	47,280.00	13	76,420.00	7,000.00
Exec. Secretary, University of Montana	2	11,850.00	13	68,100.00	8,100.00
Fish and Game	187	911,760.00	3	12,400.00	7,600.00
Forester, State	30	127,600.00	191	866,880.00	9,600.00
Governor's office	4	28,220.00	36	166,510.00	7,000.00
Governor's Mansion	2	3,180.00	4	29,000.00	12,500.00
Grass Conservation Commission	1	6,000.00	2	3,480.00	6,000.00
Hail Insurance, Board of	2	8,760.00	1	6,000.00	4,800.00
Health, Board of	97	427,841.00	2	8,760.00	14,800.00
Highway Commission	1,521	654,682.69	98	489,660.00	12,600.00
Highway Patrol	136	531,615.00	1,741	753,966.10	7,000.00
Historical Society	18	55,787.78	158	693,878.00	7,400.00
Indian Affairs	2	3,600.00	19	60,043.61	1,200.00
Industrial Accident	40	140,637.00	2	4,320.00	7,000.00
Joint Merit System	4	21,396.00	45	182,224.00	7,800.00
Lands and Investments	14	60,040.00	4	23,280.00	7,000.00
			17	76,060.00	

EXHIBIT B — (Continued)

	No. of Employees 1957	Amount Paid	No. of Employees 1958	Amount Paid	Present Salary Head of Department
Law Library	1	4,800.00	2	7,200.00	4,800.00
Legislative Council	1	7,500.00	6	29,800.00	7,000.00
Library Extension Commission	6	14,120.00	11	28,250.00	7,200.00
Livestock Commission	63	258,125.00	60	273,420.00	9,000.00
Livestock Sanitary Board	41	191,050.00	35	182,469.72	9,000.00
Medical Examiners	2	5,160.00	2	5,160.00	
Milk Control Board	3	12,180.00	4	15,744.00	6,000.00
Motor Vehicles, Registrar of	78	185,460.00	55	159,540.00	
Nurses Examining Board	3	9,600.00	3	11,760.00	
Oil and Gas Conservation Commission	13	65,160.00	14	80,479.92	5,700.00
Pardons, Board of	5	21,540.00	7	25,500.00	8,400.00
P. B. X. State Capitol	6	13,657.12	5	15,749.00	7,000.00
Plumbers Examining Board	2	3,740.00	2	4,200.00	4,800.00
Poultry Improvement Board	2	8,800.00	2	9,000.00	3,600.00
Public Employees' Retirement	16	55,249.96	15	64,346.59	6,000.00
Public Instruction	53	249,873.28	69	316,284.00	8,200.00
Public Welfare	274	1,021,086.00	269	1,071,870.00	7,500.00
Railroad Commission	17	62,580.00	17	78,000.00	8,400.00
Secretary of State	10	43,140.00	12	51,000.00	7,500.00
Social Security	4	12,100.00	4	13,862.95	
Soil Conservation	2	8,000.00	2	8,000.00	6,500.00
Supreme Court	8	35,900.00	11	48,400.00	11,000.00
Taxation Education	2		2	9,820.00	
Teachers' Retirement	7	26,340.00	7	28,760.00	7,200.00
Trade Commission	2	11,400.00	3	15,300.00	
Treasure State	6	24,860.00	7	31,900.00	
Unemployment Compensation	248	943,300.00	270	1,118,080.00	9,000.00
Veterans Welfare Commission	35	120,960.00	33	118,040.00	7,200.00
Vocational Rehabilitation	16	74,640.00	22	156,960.00	7,800.00
Water Conservation Board	50	212,495.00	49	212,495.00	8,100.00
Liquor Control Board	395	83,215.29	380	92,243.71	7,000.00
Montana State Hospital	463	1,398,549.12	491	1,526,290.12	11,000.00
Montana State Prison	64	303,801.92	124	512,215.92	7,500.00

EXHIBIT B — (Continued)

	No. of Employees 1957	Amount Paid	No. of Employees 1958	Amount Paid	Present Salary Head of Department
State Orphans' Home	48	124,253.80	49	152,907.25	5,500.00
Montana State Training School	103	256,907.20	144	422,862.00	9,180.00
Montana Home for the Aged	20	60,826.00	20	63,416.00	5,000.00
Montana State Industrial School	57	156,420.00	66	203,820.00	7,500.00
Vocational School	26	72,530.00	33	92,035.00	5,500.00
Montana School for the Deaf and Blind	39	122,830.00	38	140,565.00	7,500.00
Old Soldiers' Home	24	46,420.00	26	49,012.00	4,600.00
T. B. Sanitarium	217	547,850.00	241	634,525.92	12,000.00
Eastern Montana College	82	405,691.00	112	672,450.00	
Northern Montana College	59	250,161.00	72	376,106.00	
Western Montana College	47	210,869.00	42	244,790.00	
School of Mines	69	332,982.00	72	415,261.00	
Montana State College	884	3,535,570.00	1,035	5,182,395.00	
Montana State University	507	2,121,456.00	634	2,937,274.00	
TOTAL	6,515	\$18,006,344.80	7,318	\$22,950,518.72	

HOLTZ,
BROEDER,
HANKS.

Motion was made by Holtz that the committee report be adopted and that it be spread on the Journal in full. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 18, respectfully report as follows: That House Bill No. 18 do not pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 144, respectfully report as follows: That House Bill No. 144 be amended as follows:

By adding after section 1 a new section to be numbered "section 2."

Section 2 shall read as follows:

"Section 2. That section 75-2517, Revised Codes of Montana, 1947, be, and the same is hereby repealed."

And further amend the bill by substituting for the words "section 2" in the original bill the words "section 3"; by substituting for the words "section 3" in the original bill the words "section 4"; and by substituting for the words "section 4" in the original bill the words "section 5";

And further amended by adding a new section to be numbered "section 6."

Section 6 shall read as follows:

"Section 6. All acts and parts of acts in conflict herewith are hereby repealed.";

And as amended, do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 147, respectfully report as follows: That House Bill No. 147 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 235, respectfully report as follows: That House Bill No. 235 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Joint Memorial No. 5, respectfully report as follows: That House Joint Memorial No. 5 do pass.

ESKILDSEN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

January 29, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

Committee on Agriculture recommended that House Bill No. 36 be not concurred in, but that Senate Substitute for House Bill No. 36 do pass. The Committee report was adopted this day and Senate Substitute for House Bill No. 36 was ordered printed.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 2, 1959.

Honorable John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Mr. Speaker:

The demands of education upon this Legislature are great, as you well know. Some are justified. Some must be trimmed. Some must be eliminated, if we are to reach our constitutional requirement of a balanced budget.

You have an opportunity to approve legislation which will help you meet some of the monetary demands of education, without further overburdening the property taxpayer. This is the legislation to increase the rental fees on state grazing land.

Montana has 4,108,382.28 acres of grazing land leased. The important item to keep in mind is that this land is being held in trust by the State of Montana for 185,000 school children in the Treasure State and for those youngsters who will follow:

The general fund now bears most of the brunt of the school equalization funds. Approval of legislation to equitably increase these grazing rentals would lessen the burden on the deficit-ridden general fund.

The present rates are too low. A rental figure that is fair to both the lessee and the school children of Montana should be established by this Legislature.

You will recall that my State of the State message stressed equalization, rather than major tax increases, to provide revenue to balance the budget. This type of legislation definitely falls in that category. I urge your approval of such a bill, both as Governor and as President of the State Board of Land Commissioners.

Very truly yours,
J. HUGO ARONSON, Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Eskildsen that House Bill No. 455 be taken from the Committee on State Boards and Institutions and referred to the Committee on Appropriations. Motion carried.

Motion was made by Wood that House Bill No. 139 be taken from the Committee on Highways and Highway Transportation and referred to the Committee on Appropriations. Motion carried.

Motion was made by Powers that the House reconsider its action in adopting the Committee of the Whole report that House Bill No. 128 do not pass. Motion carried.

Motion was made by Cerovski that House Bill No. 128 be taken from General Orders and placed on Third Reading. Motion carried.

Motion was made by Cerovski that the Committee of the Whole report of this morning be adopted as amended. Motion carried.

Motion was made by Cerovski that the House recess subject to the call of the Chair. Motion carried.

House recessed.

House resumed. Mr. Speaker in the Chair.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that House Bill No. 128 be taken from Third Reading and placed on General Orders. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Page of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Joint Memorial No. 9 do pass.

That Substitute House Bill No. 92 do pass.

That Senate Joint Memorial No. 1 be concurred in.

PAGE, Chairman.

Report adopted.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Anderson that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Page of Missoula in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 128 do not pass.

PAGE, Chairman.

Report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Tuesday, February 3, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

THIRTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 3, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Barrett and Langston, who were excused, and Daniels, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Twenty-ninth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Joint Memorial No. 7, and House Bill No. 85 considered correctly engrossed.

PARKER, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Sub. House Bill No. 92 and House Joint Memorial No. 9.

PARKER, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 168, 102, 270, 162, Sub. House Bills Nos. 15 and 57, beg leave to report that the same have this day been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 107, respectfully report as follows: That House Bill No. 107 be amended as follows:

By inserting on line 28, page 2 of the title of the original bill a period and quotes (".") following the word "herewith" and striking all of line 29 of the title;

By striking all of section 15, lines 21 and 22 of page 8 of the original bill, and

Aas amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 108, respectfully report as follows: That House Bill No. 108 be amended as follows:

By striking the semicolon (;) following the word "herewith" on line 8, page 1, of the title of the original bill and inserting in lieu thereof a period and quotes (".") and by striking the remainder of line 8 and all of line 9;

And be further amended on page 2 of the original bill, by striking all of section 3, on lines 2 and 3;

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 109, respectfully report as follows: That House Bill No. 109 be amended as follows:

On line 9, page 1, of the title of the original bill, by inserting a period and quotes (".") following the word "herewith" and by striking the remainder of line 9 and line 10.

And further amended on page 1 and page 2 by striking section 3 in its entirety;

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 140, respectfully report as follows: That House Bill No. 140 do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 158, respectfully report as follows: That House Bill No. 158 be amended as follows:

By striking the semicolon following the word "herewith" in line 8 of the title of the original bill, and inserting in lieu thereof a period and quotes (".") and by striking the remainder of line 8 and line 9;

And further amended by striking section 3 in its entirety on page 2, lines 8 and 9.

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 177, respectfully report as follows: That House Bill No. 177 be amended as follows:

By striking the semicolon (;) on line 10 of the title, page 1 of the original bill, and by inserting a period and quotes (".") in lieu thereof and by striking the remainder of line 10 and all of line 11;

And further amended by striking section 4 in its entirety on lines 16 and 17 of page 3;

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 178, respectfully report as follows: That House Bill No. 178 do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 209, respectfully report as follows: That House Bill No. 209 do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Trans-

portation, having had under consideration House Bill No. 223, respectfully report as follows: That House Bill No. 223 do not pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 266, respectfully report as follows: That House Bill No. 266 be amended as follows:

By inserting a period and quotes (".") immediately following the word "herewith," line 8, page 1, of the title of the original bill and by striking the remainder of line 8 and 9 of the title;

And further amended by striking section 3 in its entirety, lines 3 and 4, page 2, of the original bill;

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bill correctly enrolled: House Bill No. 11.

JARDINE, Chairman.

I have examined House Bill No. 11 introduced by me and find the same to be correct.

McGARVEY.

The Speaker signed House Bill No. 11 in open session, the title having first been read.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 181, respectfully report as follows: That House Bill No. 181 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 186, respectfully report as follows: That House Bill No. 186 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 198, respectfully report as follows: That House Bill No. 198 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 232, respectfully report as follows: That House Bill No. 232 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 237, respectfully report as follows: That House Bill No. 237 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 302, respectfully report as follows: That House Bill No. 302 be amended as follows:

In line 21 of page 1 of the original bill by deleting the following words, "partition or sale of";

In line 21 of page 1 of the original bill by deleting the following "effected," and inserting in lieu thereof the following words "sold is"; and

In line 22 of page 1 of the original bill by deleting the word "are", And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 384, respectfully report as follows: That House Bill No. 384 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 492, respectfully report as follows: That House Bill No. 492 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 496, respectfully report as follows: That House Bill No. 496 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 497, respectfully report as follows: That House Bill No. 497 do not pass.

DANIELS, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 2, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

H. B. No. 39—introduced by Bradford and Gilfeather.

Very truly yours,
J. HUGO ARONSON, Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Clowes that House Bill No. 162 be taken from the House and rereferred to the Committee on Affairs of Cities. Motion carried.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Joint Memorial No. 1 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: Bradford, Daniels, McGarvey. Total 3.

Excused: Barrett, Langston. Total 2.

THIRD READING OF HOUSE BILLS

The following, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Memorial No. 7 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Devier, Elting, Emmons, Eskildsen, Felt, Fladager, Gilfeather, Gill, Glancy, Gleed, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Kolar, Lees, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nichols, Page (Granite), Parker, Picard, Powell Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 66.

Noes: Anderson, Angstman, Battin, Cavan, Fjare, Gerard, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kvaalen, Leuthold, Loman, Loughran, McGaffick, Nelstead, Page (Missoula), Paulsen, Reinecke, Sales, Walton, Wright. Total 24.

Absent and not voting: Daniels, DeWolfe. Total 2.

Excused: Barrett, Langston. Total 2.

House Bill No. 85 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 89.

Noes: Elting. Total 1.

Absent and not voting: Daniels, Walton. Total 2.

Excused: Barrett, Langston. Total 2.

Sub. House Bill No. 92 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanoue, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent and not voting: Daniels, Walton. Total 2.

Excused: Barrett, Langston. Total 2.

House Joint Memorial No. 9 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kolar, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 80.

Noes: Aasheim, Angstman, Bardanoue, Corcoran, Elting, Jardine, Kiff, Kvaalen, Raundal, Schwinden. Total 10.

Absent and not voting: Daniels, Walton. Total 2.

Excused: Barrett, Langston. Total 2.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 203, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business on General Orders, under the rules of the previous sitting. Motion carried.

Angstman of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 17 be amended in the title by striking out in the third line of the second printed bill and the original bill, the word and figure "eight (8)" and inserting in lieu thereof the word and figure "six (6)";

That House Bill No. 17 be further amended in section 1 by striking out in line 5 of the second printed bill the word "eight," and in line 6 the figure "8," being line 17 of the original bill, and inserting in lieu thereof the word and figure "six (6)";

And as so amended, House Bill No. 17 do pass.

That House Bill No. 127 be amended in section 1, lines 3, 4 and 5 of the printed bill by striking the following words "licenses for stores selling drugs and for certified pharmacies and annual renewal of registration fees—revocation.";

And as amended, do pass.

ANGSTMAN, Chairman.

Motion was made by Angstman for adoption of the committee report.

A substitute motion was made by Gerard that House Bill No. 17 be segregated from the committee report. Gerard requested a Call of the House, and a roll call vote and that the same be recorded in the Journal in full. There being a sufficient number of seconds, the Speaker ordered a Call of the House. Gerard moved that, progress having been made, the Call of the House be dispensed with. Motion carried.

The substitute motion failed to carry by the following vote:

Ayes: Anderson, Babcock, Bashor, Battin, Bentz, Broeder, Cavan, Corcoran, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Leuthold, Loman, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Reinecke, Rindy, Sales, Walton, Woodring, Wright. Total 35.

Noes: Aasheim, Abel, Angstman, Bardanouve, Barnard, Barnes, Bradford, Casey, Cerovski, Clowes, Curry, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Lees, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Regan, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 56.

Absent and not voting: Daniels. Total 1.

Excused: Barrett, Langston. Total 2.

Motion by Angstman for adoption of the committee report carried.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 11, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 10:20 o'clock a.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 167, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 17 and 127.

PARKER, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 142, respectfully report as follows: That House Bill No. 142 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Joint Resolution No. 5, respectfully report as follows: That House Joint Resolution No. 5 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 153, respectfully report as follows: That House Bill No. 153 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 190, respectfully report as follows: That House Bill No. 190 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 51, respectfully report as follows: That House Bill No. 51 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 149, respectfully report as follows: That House Bill No. 149 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 150, respectfully report as follows: That House Bill No. 150 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 229, respectfully report as follows: That House Bill No. 229 do not pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 508, respectfully report as follows: That House Bill No. 508 do not pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Joint Memorial No. 11, respectfully report as follows: That House Joint Memorial No. 11 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 447, respectfully report as follows: That House Bill No. 447 be referred to the Committee on Social Security.

ABEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration Senate Joint Resolution No. 2, respectfully report as follows: That Senate Joint Resolution No. 2 be concurred in.

ABEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 146, respectfully report as follows: That House Bill No. 146 do pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 393, respectfully report as follows: That House Bill No. 393 do pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 6, respectfully report as follows: That House Joint Resolution No. 6 do not pass.

WAYRYNEN, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 3, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 73 by Harken et al.

Senate Bill No. 37 by Mannix, Sagunsky.

Senate Bill No. 70 by Harken et al.

Senate Bill No. 69 by Dussault et al.

Senate Bill No. 63 by Committee on Liquor Control.

Senate Bill No. 115 by Mackay, Bovey.

Senate Bill No. 65 by Carney, Streeter.

Senate Bill No. 102 by Mahoney (Garfield), Carney.

Senate Bill No. 64 by Carney, Streeter.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to Committees:

House Bill No. 521, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the purchase of sets of the Revised Codes of Montana, 1947." Referred to the Committee on Appropriations.

Senate Bill No. 73, introduced by Harken, Cumming, Nees: A bill for an act entitled: "An act to amend section 53-422, Revised Codes of Montana, 1947, relating to determination of security required—suspension of license and registration—exceptions—liability insurance; providing that the motor vehicle registrations of vehicles involved in accidents shall not be suspended on co-owned vehicles; and to amend section 53-423, Revised Codes of Montana, 1947, as amended by section 1, chapter 187, Laws of Montana, 1957, relating to exceptions to security requirements; providing that the operator or the owner of a legally stopped vehicle shall be excepted from security requirements; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 37, introduced by Mannix, Sagunsky: A bill for an act entitled: "An act to amend section 53-108, Revised Codes of Montana, 1947, as amended by section 1, chapter 146, Laws of Montana, 1957, relating to renewal of registration; by providing that vehicles may be operated between January first and February fifteenth without displaying the current registration certificates; by providing temporary windshield stickers for owners of used vehicles whose registration certificates are being processed through the office of the Registrar of Motor Vehicles; by prohibiting the sale or purchase of more than one (1) temporary windshield sticker when vehicle's ownership not changed; by providing a three (3) day grace period for purchases of new motor vehicles in which to make application for registration; by providing it shall not be a violation of any law to operate such new motor vehicle on the streets and highways during said three (3) day period, if such purchaser has in his possession satisfactory evidence of ownership; by repealing all acts or parts of acts in conflict herewith and by providing for effective date of act." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 70, introduced by Harken, McDonnell, Dussault, Michels: A bill for an act entitled: "An act to amend section 48-130 of the Revised Codes of Montana, 1947, relating to the written declaration of marriage without solemnization; providing that premarital test certificate shall be obtained and attached to the declaration and filed with the clerk of the court; providing for the contents of the declaration of marriage; providing for a repealing clause; and providing for an effective date of this act." Referred to Committee on Judiciary.

Senate Bill No. 69, introduced by Dussault, Nixon, Michels, Thiessen, Nees, Harken: A bill for an act entitled: "An act to amend sections 48-131

and 48-132 of the Revised Codes of Montana, 1947, relating to the written declaration of solemnized marriages when the records of such marriages have been lost or destroyed; providing for the contents of the written declaration, the witnessing thereof and acknowledgment and the filing thereof with the clerk of the District Court; providing for a repealing clause and providing for an effective date of this act." Referred to Committee on Judiciary.

Senate Bill No. 63, introduced by the Committee on Liquor Control: A bill for an act entitled: "An act to amend sections 4-104, 4-153 and 4-422 of the Revised Codes of Montana, 1947, relating to Montana Liquor Control Board—creation—qualifications—term and to members and employees of the Liquor Control Board of the State of Montana being interested in liquor sales or receiving gifts, commissions or remunerations by providing that it shall not be unlawful for a member of the board to be interested in or engaged in the liquor business, and by further providing that not more than one member of the board may be the holder of a current Montana retail liquor license and a current Montana retail beer license; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Liquor Control.

Senate Bill No. 115, introduced by Mackay, Bovey: A bill for an act entitled: "An act to amend section 59-704 of the Revised Codes of Montana, 1947, as amended, relating to the distribution of public reports, to provide for a minimum distribution of four (4) mimeographed or carbon copies of reports to the librarian of the Historical Society of Montana, to provide for a minimum distribution of forty (40) copies of printed reports furnished by state institutions, offices and departments presenting an annual or biennial report to the librarian of the State Historical Society; to provide for the transmittal to the U. S. Library of Congress two (2) copies of each report by the Historical Society of Montana." Referred to Committee on State Boards and Institutions.

Senate Bill No. 65, introduced by Carney, Streeter: A bill for an act entitled: "An act to amend section 84-4107, Revised Codes of Montana, 1947, replacement volume five (5), relating to the receipt to be given by the county treasurer; providing that such receipt shall contain the amount of the assessment, the purposes for which the tax was paid, and a description of the property." Referred to Committee on Townships and Counties.

Senate Bill No. 102, introduced by Mahoney (Garfield), Carney: A bill for an act entitled: "An act to repeal sections 38-1102, 38-1103, 38-1104, 38-1105, 38-1106, and 38-1107, of the Revised Codes of Montana, 1947, all relating to the procedure for admittance and commitment to the Montana Home for Senile Men and Women; repealing all acts and parts of acts in conflict herewith; and providing for an effective date." Referred to Committee on State Boards and Institutions.

Senate Bill No. 64, introduced by Carney, Streeter: A bill for an act entitled: "An act to amend section 84-4005, Revised Codes of Montana, 1947, replacement volume five (5), relating to the duties of the county assessor; provided that the county assessor must compute and enter in the assessment books the tax to be paid and attach thereto his affidavit." Referred to Committee on Townships and Counties.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 17 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes,

Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Granite), Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 82.

Noes: Haines (Missoula), Nichols, Page (Missoula). Total 3.

Absent and not voting: Angstman, Corcoran, Elting, Hawks, Holecek, McGaffick, Parker. Total 7.

Excused: Barrett, Langston. Total 2.

House Bill No. 127 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: Gilfeather, Holecek, McGaffick. Total 3.

Excused: Barrett, Langston. Total 2.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Wednesday, February 4, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

THIRTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 4, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Barrett, Langston and Loughran, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirtieth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 438, respectfully report as follows: That House Bill No. 438 do pass.

REEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Conservation, having had under consideration House Bill No. 278, respectfully report as follows: That House Bill No. 278 do pass.

McOMBER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 113, respectfully report as follows: That House Bill No. 113 be amended as follows:

On line 10, page 3 of the original bill by striking the words and figures "six thousand (6,000) pounds," and inserting in lieu thereof the words and figures "eight thousand (8,000) pounds";

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 163, respectfully report as follows: That House Bill No. 163 be amended as follows:

By striking the semicolon (;) following the word "herewith" on line 10, page 1 of the title of the original bill and inserting a period and quotes (".") in lieu thereof, and striking the remainder of line 10;

Be amended further by striking section 7 in its entirety;

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 166, respectfully report as follows: That House Bill No. 166 do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 215, respectfully report as follows: That House Bill No. 215 do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 282, respectfully report as follows: That House Bill No. 282 do not pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 299, respectfully report as follows: That House Bill No. 299 be amended as follows:

Amend the title on line 7, page 1 of the original bill by inserting a

period and quotes (".") immediately following the word "herewith" and by striking the remainder of lines 7 and 8;

Further amend by striking section 3 in its entirety;

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 346, respectfully report as follows: That House Bill No. 346 do pass.

Wood, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 402, respectfully report as follows: That House Bill No. 402 be amended by striking section 2 in its entirety;

And as amended, do pass.

McGARVEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 417, respectfully report as follows: That House Bill No. 417 do not pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 440, respectfully report as follows: That House Bill No. 440 be amended as follows:

Amend on line 20, page 1 of the original bill by striking the period (.) following the word "way" and adding "where fencing is specified" and adding a period (.);

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 493, respectfully report as follows: That House Bill No. 493 do not pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 251, respectfully report as follows: That House Bill No. 251 do not pass.

HOLTZ,
STRNISHA,
HARBALL,
SHELDON,
GUNDERSON,
POWELL,
McOMBER,
BARNES.

Motion was made by Holtz for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 251, respectfully report as follows: That House Bill No. 251 do pass.

LEUTHOLD,
HAWKS,
HIGHAM,
KVAALLEN,
HANKS,
WOOD.

Substitute motion was made by Leuthold for adoption of the Minority Committee report.

Substitute motion for all motions pending was made by McGarvey that House Bill No. 251 be printed and placed on General Orders without recommendation. Motion carried.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration Senate Substitute for Senate Bill No. 4, respectfully report as follows: That Senate Substitute for Senate Bill No. 4 be concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 42 and 52.

JARDINE, Chairman.

I have examined House Bill No. 42 introduced by me and find the same to be correct.

HELDING.

I have examined House Bill No. 52 introduced by me and find the same to be correct.

GLEED.

The Speaker signed House Bills Nos. 42 and 52 in open session, the titles having first been read.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 318, 487, 147, 235, 144, and House Joint Memorial No. 5, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

MESSAGES FROM THE GOVERNOR AND SENATE

February 3, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

H. B. No. 11—Introduced by McGarvey, Haines (Missoula), Sales, Hanks, Reeder and Devier.

Very truly yours,
J. HUGO ARONSON, Governor.

February 3, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 63 by Committee on Military Affairs.

House Bill No. 68 by Walton, Reeder.

House Bill No. 52 by Gleed et al.

House Bill No. 96 by Paulsen, Anderson.

House Bill No. 48 by Barnard, et al.

House Bill No. 41 by Abel et al.

House Bill No. 46 by Barnard et al.

House Bill No. 42 by Holding et al.

House Bill No. 82 by MacDonald.

House Joint Resolution No. 1 by Glancy, Devier.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 3, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 106 by Barrett, Gunderson.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 3, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and not concurred in and the same are herewith returned to the House:

House Bill No. 76 by Elting et al.

House Bill No. 73 by Morrison et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Picard that House Bill No. 501 be taken from the Committee on Townships and Counties and referred to the Committee on Livestock and Public Ranges. Motion carried.

Motion was made by Picard that House Bill No. 502 be taken from the Committee on Townships and Counties and referred to the Committee on Livestock and Public Ranges. Motion carried.

Motion was made by Eskildsen that House Bill No. 145 be taken from the Committee on State Boards and Institutions and referred to the Committee on Judiciary. Motion carried.

Motion was made by Karlberg that House Bill No. 478 be taken from the Committee on Privileges and Elections and referred to the Committee on Ways and Means. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Broeder of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Substitute House Bill No. 15 be amended in section 3 on page 2, line 2 of the printed bill, being page 2, line 21 of the original bill, by inserting after the word "state" and before the word "shall," the words "propelled by machinery of more than ten horse-power";

And be amended in section 5 on page 4, line 4 of the printed bill, being page 5, line 19 of the original bill, by inserting after the word "board" the following: "; provided, that any person or persons, twelve (12) years of age or younger, occupying a vessel while such vessel is in motion, shall have a life preserver of a type approved by the Commandant of the United States Coast Guard securely fastened to his or her person.";

And be amended in section 8 by adding paragraph "F" to that section following line 19, page 6 of the printed bill, being line 30, page 7 of the original bill, to-wit: "Skiers being pulled by motor boats and persons in motor boats pulling skiers must have on their person a life preserver; buoyant vest or ring buoy.";

And as amended, that House Bill No. 15 do pass.

That Substitute House Bill No. 57 be amended in section 1, on line 4, page 1 of the printed bill, being line 19, page 1 of the original bill, by inserting before the word "the" the words "section 5. Director and Employees—Salaries to be paid monthly—Approval and auditing.";

And as amended do pass.

That House Bill No. 102 do pass.

BROEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 42 and 52, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:55 o'clock, a.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Motion was made by Cerovski that the House recess until 1:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 102 and Substitute House Bill No. 57.

PARKER, Chairman.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 48, 41, 68, 63 and 82.

JARDINE, Chairman.

I have examined House Bill No. 48 introduced by me and find the same to be correct.

BARNARD.

I have examined House Bill No. 41 introduced by me and find the same to be correct.

ABEL.

I have examined House Bill No. 68 introduced by me and others, and find the same to be correct.

WALTON.

I have examined House Bill No. 63 introduced by the Committee on Military Affairs and find the same to be correct.

ABEL.

I have examined House Bill No. 82 introduced by me and find the same to be correct.

MacDONALD.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 48, 41, 68, 63 and 82.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Joint Memorial No. 6, respectfully report as follows: That House Joint Memorial No. 6 do not pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 222, respectfully report as follows: That House Bill No. 222 do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 243, respectfully report as follows: That House Bill No. 243 do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 218, respectfully report as follows: That House Bill No. 218 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 259, respectfully report as follows: That House Bill No. 259 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 283, respectfully report as follows: That House Bill No. 283 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 304, respectfully report as follows: That House Bill No. 304 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 327, respectfully report as follows: That House Bill No. 327 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Railway and Aviation Transportation, having had under consideration House Bill No. 129, respectfully report as follows: That House Bill No. 129 do pass.

JENSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Railway and Aviation Transportation, having had under consideration House Bill No. 134, respectfully report as follows: That House Bill No. 134 do pass.

JENSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Railway and Aviation Transportation, having had under consideration House Bill No. 275, respectfully report as follows: That House Bill No. 275 do not pass.

JENSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 394, respectfully report as follows: That House Bill No. 394 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 162, respectfully report as follows: That House Bill No. 162 do pass.

CLOWES, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 522, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the purpose of paying expenses as designated herein, for Montana state prison, bureau

of identification, and bureau of vocational rehabilitation, for the remainder of the current fiscal year ending June 30, 1959, it being determined the appropriation made by the Thirty-fifth Legislative Assembly, to be insufficient; and providing for an effective date."

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 102 was passed by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Walton, Wood, Woodring, Wright, Clowes, Mr. Speaker. Total 82.

Noes: None.

Absent and not voting: Abel, Gleed, Haines (Missoula), Jardine, Lees, Raundal, Sheehy, Tonner, Wayrynen, Wold. Total 10.

Excused: Barrett, Langston. Total 2.

Sub. House Bill No. 57 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Haines (Missoula), Jardine, Raundal, Sheehy, Tonner, Wayrynen, Wold. Total 7.

Excused: Barrett, Langston. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Broeder of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 270 do pass.

That House Bill No. 167 do pass.

That House Bill No. 203 do pass.

That Senate Joint Resolution No. 2 be concurred in.

That Senate Amendments to House Bill No. 106 be concurred in.

That House Bill No. 168 do pass.

That House Bill No. 162 do pass.

BROEDER, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

Senate Amendments to House Bill No. 106, having been read, were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Daniels, Gilfeather, Haines (Missoula), Jardine, McGaffick, Strnisha, Tonner, Wayrynen. Total 8.

Excused: Barrett, Langston. Total 2.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Thursday, February 5, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

THIRTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 5, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Barrett and Langston, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-first Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 162, 167, 168, 203, 270 and Sub. House Bill No. 15.

PARKER, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 109, 150, 158, 177, 237, 266, 108 and House Joint Memorial No. 8, beg leave to report that the same have this date been returned from the printer correctly printed.

DEVIER, Vice-Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 346, 186, 299, 440, 402, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 25, respectfully report as follows: That House Bill No. 25 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 161, respectfully report as follows: That House Bill No. 161 do not pass, but that

Substitute House Bill No. 161, introduced by Fish and Game Committee: A bill for an act entitled: "An act to amend section 26-202.3 of the Revised Codes of Montana, 1947, as enacted by section 3, chapter 267 of the Laws of the Thirty-fourth Legislative Assembly of the State of Montana of 1955, relating to definition of resident for purposes of fishing and hunting; to provide for the exclusion of the employees of certain government agencies; containing a repealing clause and providing an effective date.";

Do pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 188, respectfully report as follows: That House Bill No. 188 do pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 191, respectfully report as follows: That House Bill No. 191 do pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 214, respectfully report as follows: That House Bill No. 214 do pass.

WOOD, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 4, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 26 by Groff et al.

Senate Bill No. 66 by Hofland, Mahoney (Garfield).

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 4, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 41—Introduced by Abel, McGaffick, Clowes, Angstman, Page (Missoula), and Cavan.

H. B. No. 42—Introduced by Holding, Schwinden, Nees, Cavan, Hawks, Leuthold and Lees.

H. B. No. 52—Introduced by Glead, Gerard, Barrett and Moudree.

H. B. No. 82—Introduced by MacDonald.

H. B. No. 68—Introduced by Walton and Reeder.

H. B. No. 63—Introduced by Committee on Military Affairs.

H. B. No. 48—Introduced by Barnard, Wood, Howard and Felt.

Very truly yours,
J. HUGO ARONSON,
Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Mernin that House Bill No. 162 be taken from Third Reading and placed on General Orders. Motion carried.

Motion was made by Haines (Missoula), that House Bill No. 144, now on General Orders, be passed for the day. Motion carried.

Motion was made by Devier that House Bill No. 489 be taken from the Committee on Livestock and Public Ranges and referred to the Committee on Agriculture, Dairying and Horticulture. Motion carried.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 96 and 46.

JARDINE, Chairman.

I have examined House Bill No. 46 introduced by me and find the same to be correct.

BARNARD.

I have examined House Bill No. 96 introduced by me and find the same to be correct.

PAULSEN.

The Speaker signed House Bills Nos. 96 and 46 in open session, the titles having first been read.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

Senate Bill No. 26, introduced by Groff, McGowan, Harken, Minette, Clark, LaCombe, Keister: A bill for an act entitled: "An act to regulate and control lobbying before the State Legislature and during sessions thereof; providing for licensing and registration of lobbyists; providing penalties and enforcement." Referred to Committee on Judiciary.

Senate Bill No. 66, introduced by Hofland, Mahoney (Garfield). A bill for an act entitled: "An act to amend section 32-302, Revised Codes of Montana, 1947, as amended by chapter 109, laws of 1955, pertaining to the powers and duties of county commissioners respecting highways by authorizing county commissioners to employ a road foreman and prescribing his powers and duties; containing a repealing clause." Referred to Committee on Townships and Counties.

Substitute House Bill No. 161, introduced by the Committee on Fish and Game: A bill for an act entitled: "An act to amend section 26-202.3 of the Revised Codes of Montana, 1947, as enacted by section 3, chapter 267 of the Laws of the Thirty-fourth Legislative Assembly of the State of Montana of 1955, relating to definition of resident for purposes of fishing and hunting; to provide for the exclusion of the employees of certain government agencies; containing a repealing clause and providing an effective date." Referred to the Committee on Printing.

THIRD READING OF SENATE BILLS

The following, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Joint Resolution No. 2 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Holecek, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nestead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Bardanouve, Daniels, Haines (Prairie), Higham, Holtz, Moudree, Schwinden. Total 7.

Excused: Barrett, Langston. Total 2.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 167 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: Haines (Prairie), Holtz, Schwinden. Total 3.

Excused: Barrett, Langston. Total 2.

House Bill No. 168 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: Haines (Prairie), Picard, Rindy. Total 3.

Excused: Barrett, Langston. Total 2.

House Bill No. 203 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 90.

Noes: None.

Absent and not voting: Clowes, Haines (Prairie). Total 2.

Excused: Barrett, Langston. Total 2.

House Bill No. 270 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve,

Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 88.

Noes: Sheldon. Total 1.

Absent and not voting: Felt, Haines (Prairie), Moudree. Total 3.

Excused: Barrett, Langston. Total 2.

Sub. House Bill No. 15 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 85.

Noes: Moudree. Total 1.

Absent and not voting: Felt, Glancy, Haines (Prairie), Powell, Reeder, Tonner. Total 6.

Excused: Barrett, Langston. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Wayrynen of Silver Bow in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 147 be amended in the title by adding after the word "hospital" in the last line thereof, the words "and containing a repealing clause.";

And as amended, do pass.

That House Bill No. 235 be amended in the title by adding after the word "date" in the last line thereof, the words "and containing a repealing clause.";

And as amended, do pass.

That House Bill No. 318 be amended in section 2, page 1, line 4 of the

printed bill, being page 2, line 2 of the original bill, by inserting after the word "on" and before the word "actual" the word "the";

And as amended, do pass.

That House Bill No. 487 be amended in section 1, page 1, lines 9 and 10 of the printed bill, being page 1, lines 30 and 31, of the original bill, by deleting after the word "fees" and before the word "provided" the following: "(matter deleted)";

And as amended, do pass.

That House Joint Memorial No. 5 do pass.

That Senate Substitute for Senate Bill No. 4 be concurred in.

That the enacting clause be stricken from House Bill No. 162.

WAYRYNEN, Chairman.

Motion was made by Wayrynen for adoption of the committee report.

Substitute motion was made by Healy that House Bill No. 162 be segregated from the Committee of the Whole report. Motion failed to carry.

Original motion by Wayrynen carried. Committee report adopted.

Cerovski moved that the House recess until 1:30 p.m. this day. Motion carried. House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 63, 68, 48, 41 and 82, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 o'clock p.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 147, 235, 318, 487 and House Joint Memorial No. 5.

PARKER, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 134, 163, 166, 215, 218, 259, 278, 438, 51, 140, 142, 146, 149, 178, 198, 302, 393 and House Joint Memorial No. 11, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 32, respectfully report as follows: That House Bill No. 32 do pass.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, having had under consideration House Bill No. 72, respectfully report as follows: That House Bill No. 72 do not pass, but that

Substitute House Bill No. 72, introduced by the Committee on Printing: A bill for an act entitled: "An act to compel any person, persons, corporation, partnership or other legal entity, who reproduces for circulation any Senate or House Bill that has been introduced or considered by the Senate or House of Representatives of the Montana Legislature to properly identify the person, persons, corporation, partnership or other legal entity, that reproduces and/or circulates the same, to use a credit line at the beginning of such reproduction and specifying the manner in which such credit line shall be used and providing for a penalty for violation and a repealing clause."

Do pass.

ABEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 79, respectfully report as follows: That House Bill No. 79 do not pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 99, respectfully report as follows: That House Bill No. 99 do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 100, respectfully report as follows: That House Bill No. 100 do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 101, respectfully report as follows: That House Bill No. 101 be amended as follows:

In the title of the original bill, line 9, page 1, by adding after the word "agents," "county commissioners";

In line 19, page 1 of the original bill, by adding after the word "agents" the words, "county commissioners";

And further amended on line 22, page 1 of the original bill, by deleting the words and figures "ten cents (10¢)" and inserting in lieu thereof the words and figures "eight cents (8¢)";

And as amended, do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 118, respectfully report as follows: That House Bill No. 118 be amended as follows:

In lines 22 and 23, section 1, by striking the words "as selected by the said state board of examiners," and inserting in lieu thereof the words "namely the south one half of block 9 of the Corbin addition to the City of Helena and that the remaining portion of block 9 owned by the state be used for parking area.";

And as amended, do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 119, respectfully report as follows: That House Bill No. 119 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 120, respectfully report as follows: That House Bill No. 120 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 164, respectfully report as follows: That House Bill No. 164 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 183, respectfully report as follows: That House Bill No. 183 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 197, respectfully report as follows: That House Bill No. 197 do not pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 216, respectfully report as follows: That House Bill No. 216 do pass.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 231, respectfully report as follows: That House Bill No. 231 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 241, respectfully report as follows: That House Bill No. 241 do pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 245, respectfully report as follows: That House Bill No. 245 do not pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 339, respectfully report as follows: That House Bill No. 339 do not pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 353, respectfully report as follows: That House Bill No. 353 do not pass.

WAYRYNEN, Chairman.

Motion was made by Strnisha for adoption of the committee report. Substitute motion was made by Glancy that House Bill No. 353 be printed and placed on General Orders. Motion carried.

MESSAGES FROM THE SENATE

February 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Committee on Judiciary, reports adopted, and the bills are herewith returned to the House:

House Bill No. 4 by McGarvey et al.

House Bill No. 64 by McGarvey, Parker.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bill No. 106 and House Joint Resolution No. 1.

JARDINE, Chairman.

I have examined House Joint Resolution No. 1 introduced by me and find the same to be correct.

GLANCY.

I have examined House Bill No. 106 introduced by Barrett and Gunder-son and find the same to be correct.

GUNDERSON.

The Speaker signed the following bills in open session, the titles having first been read: Senate Bill No. 9, House Bill No. 106 and House Joint Resolution No. 1.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, and referred to the Committee on Printing:

Substitute House Bill No. 72, introduced by Printing Committee: A bill for an act entitled: "An act to compel any person, persons, corporation, partnership or other legal entity, who reproduces for circulation any Senate or House Bill that has been introduced or considered by the Senate or House of Representatives of the Montana Legislature to properly identify the person, persons, corporation, partnership or other legal entity, that reproduces and/or circulates the same; to use a credit line at the beginning of such reproduction and specifying the manner in which such credit line shall be used; and providing for a penalty for violation and a repealing clause."

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Substitute for Senate Bill No. 4 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Fjare, Gerard, Gill, Glancy, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Fladager, Mr. Speaker. Total 81.

Noes: None.

Absent and not voting: Broeder, Eskildsen, Felt, Gilfeather, Gleed, Haines (Prairie), Schwinden, Tonner. Total 8.

Excused: Barrett, Haines (Missoula), Howard, Langston, Loman. Total 5.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 147 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Higham, Mr. Speaker. Total 83.

Noes: None.

Absent and not voting: Eskildsen, Felt, Gilfeather, Haines (Prairie), Schwinden, Tonner. Total 6.

Excused: Barrett, Haines (Missoula), Howard, Langston, Loman. Total 5.

House Bill No. 235 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 82.

Noes: None.

Absent and not voting: Eskildsen, Felt, Haines (Prairie), Moudree, Schwinden, Tonner, Gilfeather. Total 7.

Excused: Barrett, Haines (Missoula), Howard, Langston, Loman. Total 5.

House Bill No. 318 was passed by the following vote:

Ayes: Abel, Bardanouve, Barnard, Barnes, Bashor, Bradford, Casey, Cerovski, Curry, Devier, DeWolfe, Emmons, Gerard, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jensen, Karlberg, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Nees, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Powers, Reeder, Regan, Rindy, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wood, Woodring, Wold, Mr. Speaker. Total 52.

Noes: Aasheim, Anderson, Angstman, Babcock, Battin, Bentz, Broeder, Cavan, Clowes, Corcoran, Elting, Fjare, Fladager, Gleed, Hawks, Higham, Jardine, Kiff, Kolar, Kvaalen, Morrison, Nelstead, Nichols, Reinecke, Wright, Raundal. Total 26.

Absent and not voting: Daniels, Eskildsen, Felt, Gilfeather, Haines (Prairie), Moudree, Picard, Sales, Schwinden, Tonner, Wayrynen. Total 11.

Excused: Barrett, Haines (Missoula), Howard, Langston, Loman. Total 5.

House Bill No. 487 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Fjare, Gerard, Gill, Glancy, Gleed, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 80.

Noes: Elting, Fladager, McGaffick. Total 3.

Absent and not voting: Eskildsen, Felt, Gilfeather, Haines (Prairie), Schwinden, Tonner. Total 6.

Excused: Barrett, Haines (Missoula), Howard, Langston, Loman. Total 5.

House Joint Memorial No. 5 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Jardine, Jensen, Karlberg, Kiff, Kolar, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Rindy, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 80.

Noes: Barnes, Kvaalen, Reinecke. Total 3.

Absent and not voting: Eskildsen, Felt, Gilfeather, Haines (Prairie), Schwinden, Tonner. Total 6.

Excused: Barrett, Haines (Missoula), Howard, Langston, Loman. Total 5.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that House Bill No. 211 be taken from the Committee on Highways and Highway Transportation and referred to the Committee on Townships and Counties. Motion carried.

Motion was made by Cerovski that House Bill No. 424 be taken from the Committee on State Boards and Institutions and referred to the Committee on Appropriations. Motion carried.

Motion was made by Cerovski that Senate Bill No. 30 be taken from the Committee on Townships and Counties and referred to the Committee on Affairs of Cities. Motion carried.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Friday, February 6, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

THIRTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 6, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Hawks, Langston, Nichols, Page (Granite), and Woodring, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-second Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

February 5, 1959.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 106 and House Joint Resolution No. 1, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:25 o'clock, p.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 129, 222, 283, 327 and 394, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 78, respectfully report as follows: That House Bill No. 78 do not pass, but that

Substitute House Bill No. 78, introduced by the Committee on Public Health, Morals and Safety: A bill for an act entitled: "An act to promote and protect the public health through the regulation of the business of plumbing; creating a state plumbing board and empowering said board and State Board of Health to adopt a state plumbing code covering the practice of plumbing and establishing minimum standards for plumbing work; providing concurrent authority for cities and towns; fixing penalties; providing for an effective date of said plumbing code; to amend section 66-2403, Revised Codes of Montana, 1947, relating to members on the State Board of Plumbing Examiners, by removing one (1) journeyman plumber and substituting in his place and stead one (1) registered professional engineer, qualified in mechanical engineering; and providing for a repealing clause.";

Do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 132, respectfully report as follows: That House Bill No. 132 do not pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 264, respectfully report as follows: That House Bill No. 264 do not pass.

MORRISON, Chairman.

Motion was made by Morrison for adoption of the committee report.

Substitute motion was made by Wood that House Bill No. 264 be printed and placed on General Orders. Substitute motion carried.

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 305, respectfully report as follows: That House Bill No. 305 be amended as follows:

Amend section 1 in line 18 of the original bill after the word "said" and before the word "person" by inserting the words "premises and"; And as amended, do pass.

REEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 510, respectfully report as follows: That House Bill No. 510 be amended as follows:

Amend the title in line 5 of page 1 of the original bill by changing the spelling of the word "descrepancies" to read "discrepancies";

Further amend in line 16 of page 1 of the original bill by changing the spelling of the word "descrepancies" to read "discrepancies";

And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Liquor Control, having had under

consideration Senate Bill No. 63, respectfully report as follows: That Senate Bill No. 63 be concurred in.

REEDER, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in and the same is herewith returned to the House:

House Bill No. 22 by Gunderson et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 5, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Substitute for House Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Substitute for House Bill No. 36 by Committee on Agriculture.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 5, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 54 by Anderson (Lincoln), Cumming.

Senate Bill No. 55 by Anderson (Lincoln), Cumming.

Senate Bill No. 1 by Mackay et al

Senate Bill No. 92 by Sagunsky et al.

Senate Bill No. 110 by Siderius.

Senate Bill No. 148 by Harken, Dussault.

Senate Bill No. 97 by Beley et al.

Senate Bill No. 157 by Durkee et al.

Senate Bill No. 121 by Groff et al.

Senate Bill No. 117 by Smith et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Abel that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 197. Motion carried.

Motion was made by Daniels that House Bill No. 283 be taken from the House and rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Abel that House Bill No. 197 be taken from the House and rereferred to the Committee on Constitutional Amendments and Federal Relations. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 54, introduced by Anderson (Lincoln), Cumming: A bill for an act entitled: "An act to amend section 11-2010, Revised Codes of Montana, 1947, as amended by section 2 of chapter 75 of the Montana Session Laws of 1953, relating to trustees of fire districts and the appointment and powers thereof." Referred to Committee on Townships and Counties.

Senate Bill No. 55, introduced by Anderson (Lincoln), Cumming: A bill for an act entitled: "An act to amend section 11-2008, Revised Codes of Montana, 1947, relating to fire districts in unincorporated territory, towns and villages, as amended by chapter 75 of the Session Laws of 1953 and by chapter 75 of the Session Laws of 1957." Referred to Committee on Affairs of Cities.

Senate Bill No. 1, introduced by Mackay, Cumming, Hagenston, Streeter, Nixon, Durkee, Sagunsky, Keller, Cole, James, Groff: A bill for an act entitled: "An act to make the Governor the chief budget officer of the state, requiring the Governor to prepare and present a budget message and balanced budget to each regular session of the Legislative Assembly; to establish the office of director of the budget and providing for the appointment of the director of the budget who shall hold office at the pleasure of the Governor; requiring each department, state institution and agency to submit information requested by the director of the budget, providing that the director of the budget shall prepare a budget request for any department, institution or agency not submitting requested information; to provide for the preparation of a preliminary budget by the director of the budget; fixing the form and content of the budget and designating the items of revenue and expenditures which must be set forth and requiring a proposed budget bill and recommendations for new sources of revenue; granting to the governor-elect the right to make comments and recommendations to be incorporated in the budget; granting power to the director of the budget to investigate the items submitted to his office and to demand and receive requested information from every department, officer, board, commission, or institution; to amend sections 82-109, 82-110 and 82-112 of the Revised Codes of Montana, 1947; repealing sections 79-1002, 79-1003, 79-1004, 79-1004.1, 79-1005, 79-1007 and 79-1010, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith." Referred to Committee on Appropriations.

Senate Bill No. 92, introduced by Sagunsky, Scofield, Hofland, Hagenston, Rieder, Streeter: A bill for an act entitled: "An act to amend section 69-2701 of the Revised Codes of Montana, 1947, as amended by chapter 136 of the laws of 1957, relating to fireworks, definition and restriction, to provide for including roman candles, certain rockets, illuminating torches, sparklers, mines, shells and other pyrotechnics within the definition of 'fireworks'; exempting supervised public display of fireworks, as

provided for in section 69-2702, of the Revised Codes of Montana, 1947; and repealing all acts in conflict herewith." Referred to Committee on Public Health, Morals and Safety.

Senate Bill No. 110, introduced by Siderius: A bill for an act entitled: "An act to amend section 16-4527, Revised Codes of Montana, 1947, enacted as section 27, chapter 242, laws of 1957, relating to county water districts, by striking the words ". . . where the water district is located more than one (1) mile from the boundary of an incorporated city or town . . ." to permit an option for assessment; containing a repealing clause." Referred to Committee on Townships and Counties.

Senate Bill No. 148, introduced by Harken, Dussault: A bill for an act entitled: "An act to regulate purity of water supply furnished inhabitants of cities or towns by persons, entities or municipalities; requiring approval of water users before fluoridation of any such water supply; and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Affairs of Cities.

Senate Bill No. 97, introduced by Beley, Mahoney (Garfield), Groff, Goodwin: A bill for an act entitled: "An act authorizing the Montana Public Service Commission to issue licenses for the operation and use of VHF booster television systems and VHF translator television systems within this state, providing that no person shall operate a VHF booster system or VHF translator system within the boundaries of this state except under and in accordance with a license issued therefor, requiring that an application be made for said license, authorizing said commission to adopt rules and regulations, containing a definition of terms, providing a penalty for the unlicensed operation of such system; and providing for an effective date." Referred to Committee on Constitutional Amendments and Federal Relations.

Senate Bill No. 157, introduced by Durkee, James, Cumming, Beley: A bill for an act entitled: "An act to amend initiative measure No. 54 adopted by the vote of the legal electors of the State of Montana at the regular general election held in the State of Montana on November 7, 1950, as amended by chapter 123, laws of 1953, and chapter 45, laws of 1957, relating to section 6 thereof, by providing a new date for applications for payment of the honorarium to be December 31, 1959, repealing all acts and parts of acts in conflict herewith, and containing an effective date." Referred to Committee on Military Affairs.

Senate Bill No. 121, introduced by Groff, Mahoney (Garfield), Cotton, Brenner: A bill for an act entitled: "An act to amend section 16-1015 of the Revised Codes of Montana, 1947, replacement volume two (2) as amended by chapter forty-eight (48), Session Laws of Montana, 1957, relating to the powers and duties of county commissioners to levy an annual tax on the taxable property of the county to defray current expenses, including salaries not otherwise provided for, not exceeding sixteen (16) mills for any one (1) year and to levy such taxes as are required by special or local statutes; providing for an additional levy of four (4) mills for a prescribed period; and providing for a repealing clause." Referred to Committee on Townships and Counties.

Senate Bill No. 117, introduced by Smith, Ruane, Mahoney (Sanders), Dussault, Hagenston, McDonnell, McKenna (Fergus), Hibbs: A bill for an act entitled: "An act repealing section 93-1501-7 Revised Codes of Montana, 1947, as amended by section 1, chapter 113 Laws of the 31st Legislative Assembly of the State of Montana relating to when a witness is not compelled to attend pursuant to subpoena." Referred to Committee on Judiciary.

Senate Substitute for House Bill No. 36, introduced by Senate Committee on Agriculture: A bill for an act entitled: "An act to amend section 76-117, Revised Codes of Montana, 1947, replacement volume five (5), re-

lating to the change of district name of soil conservation districts by providing for the division or combination or combination and division of soil conservation districts; providing a repealing clause." Referred to Committee on Agriculture, Dairying and Horticulture.

Substitute House Bill No. 78, introduced by Committee on Public Health, Morals and Safety: A bill for an act entitled: "An act to promote and protect the public health through the regulation of the business of plumbing; creating a state plumbing board and empowering said board and State Board of Health to adopt a state plumbing code covering the practice of plumbing and establishing minimum standards for plumbing work; providing coicurrent authority for cities and towns; fixing penalties; providing for an effective date of said plumbing code; to amend section 66-2403, Revised Codes of Montana, 1947, relating to members on the State Board of Plumbing Examiners, by removing one (1) journeyman plumber and substituting in his place and stead one (1) registered professional engineer, qualified in mechanical engineering; and providing for a repealing clause." Referred to Committee on Printing.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Barrett of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 51 be amended by striking section 5 in its entirety, and as amended, do pass.

That House Bill No. 108 do pass.

That House Bill No. 109 do pass.

That House Joint Memorial No. 8 do pass.

That House Bill No. 140 do pass.

That House Bill No. 142 do pass.

That House Bill No. 144 be amended in section 3, line 29, page 3 of the original bill, which is line 4, page 3 of the printed bill, by underlining the words and figures "July 1, 1959."; and as amended, do pass.

That House Bill No. 146 do pass.

That House Bill No. 149 be amended in section 2, in line 11, page 1 of the printed bill, being line 27, page 1 of the original bill, by inserting after the word "township" the word "and"; and as amended, do pass.

That House Bill No. 150 do pass.

That consideration of House Bill No. 158 be passed for the day.

That House Bill No. 163 do pass.

That House Bill No. 166 be amended in section 1, on line 2, page 2 of the original bill, by changing the second "or" to the word "and"; and as amended, do pass.

That House Bill No. 177 do pass.

BARRETT, Chairman.

Motion was made by Barrett for adoption of the committee report.

Substitute motion was made by Broeder that House Bill No. 109 be segregated from the Committee of the Whole report. Motion carried.

Motion was made by Barrett for adoption of the Committee of the Whole report, as amended. Motion carried.

Amended report adopted.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 113, 243, 304 and Sub. House Bill No. 161, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 108, 140, 146, 163, 177, House Joint Memorial No. 8, and House Bill No. 142 considered correctly engrossed.

PARKER, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 29, respectfully report as follows: That House Bill No. 29 be amended as follows:

Section 38 be deleted; that section 39 be renumbered to read section 38; that section 40 be renumbered to read section 39; that section 41 be renumbered to read section 40; that section 42 be renumbered to read section 41; that section 43 be renumbered to read section 42; that section 44 be renumbered to read section 43; that section 45 be renumbered to read section 44; that section 45 shall read as follows: "In any civil litigation against an insurer by a policyholder or the beneficiary named in said policy, the successful litigant shall be entitled to receive, in addition to the costs and disbursements provided by statute, a reasonable attorney's fee as fixed by the court. Provided, however, that when a bona fide offer of settlement has been tendered by the insurer prior to judgment which offer is equal to or in excess of the judgment recovered, the policyholder or beneficiary thereunder shall not be deemed to be the successful litigant. Any proof on the issue of reasonable attorney's fee shall be made out of the presence of the jury."

Section 66 be deleted in its entirety and there be inserted in lieu thereof the following: "Section 66 Tax (1) Each authorized insurer and each formerly authorized insurer for the privilege of doing business in this state shall pay such premium tax as shall be provided by the laws of the State of Montana pertaining thereto." (2) The commissioner may suspend or revoke the certificate of authority on any insurer which fails to pay its taxes as required by law.

Section 160 be amended by inserting a period after the word agent in line 4 and striking the balance of said section 1; that sub-section 2, section 160, be amended by striking the period after the word agent in line 7 and inserting a comma in place thereof and adding the following

words: "and the same license may include both life insurance and disability insurance."

That section 177 be amended by adding after the comma which follows the word state in line 5, page 85 the following material: "nor shall any right of action accrue,"

That sub-section 3 of section 182 be amended by striking the word either and semicolon in line 22, page 88 and adding after the word ground in said line the following: "of want of jurisdiction." and by striking subparagraphs (a) and (b) of sub-section 3 found in lines 23 through 26 on said page 88.

That section 301 be amended by adding after the word premium in line 3 of said section, page 130, the words "or benefits";

That sub-section 3 of section 336 found in line 36 of said section on page 150 be amended by striking the figures 344 and inserting in place thereof "345";

That section 345 be amended by adding a sub-section 4 reading as follows: "(4) Provided, however, that if the insurance, or any portion of it, ceases because of an employee's retirement then such employee shall be entitled to have issued to him by the insurer, without evidence of insurability, an individual policy of life insurance without disability or other supplementary benefits. The policy shall not exceed the amount of life insurance in effect at the time of the employee's retirement. The premium shall not exceed the amount paid by the policyholder and the employer under the group policy for a like amount of insurance. Application for an individual policy must be made, and the first premium paid to the insurer, within thirty-one (31) days after such termination."

That section 346 be amended by adding a new sub-section (3) to read as follows: "(3) Provided, however, that the limitation placed on an individual policy by this section shall not apply to individual life insurance policies secured by retired employees as provided in section 345."

That section 378 be amended by striking the figures 380 in line 2 of said section on page 166 and inserting in lieu thereof the figures "376."

That section 409 be amended by striking the semicolon following the word injury in line 6 of said section, page 178, and inserting in lieu thereof a period and striking the balance of said section in its entirety.

Amend section 470 (1) by adding in line 2 of said section after the word "fire" the word "hail."

Amend section 471 by adding a sub-section (3) as follows: "(3) section 471 shall not apply as to any domestic insurer first authorized as such prior to January 1, 1957, and existing under sections 40-1501 through 40-1517 (and all amendments thereto) Revised Codes of Montana, 1947."

Amend section 482 by adding a sub-section (4) as follows: "(4) section 482 shall not apply as to any domestic insurer first authorized as such prior to January 1, 1957, and existing under sections 40-1501 through 40-1517 (and all amendments thereto), Revised Codes of Montana, 1947."

That section 670 be deleted in its entirety, that section 671 be renumbered to read section 670; that section 672 be renumbered to read section 671; that section 673 be renumbered to read section 672;

And as amended, do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under

consideration House Bill No. 56, respectfully report as follows: That House Bill No. 56 do not pass.

BARRETT, Chairman.

Report adopted.

The Speaker signed Senate Joint Memorial No. 1 in open session, the title having first been read.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 84, respectfully report as follows: That House Bill No. 84 do not pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 69, respectfully report as follows: That House Bill No. 69 do not pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 151, respectfully report as follows: That House Bill No. 151 do not pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 be amended as follows:

In line 18 of the original bill, by inserting a comma in lieu of the period after the word "session" and adding the following: "provided, however, that children sixteen (16) years of age or over who have successfully completed the school work of the eighth grade, or whose wages are necessary to the support of the family of such child, may be employed during the time that the public schools are in session upon making the proof and securing the age and school certificate provided for in the following section.";

And as amended, do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 204, respectfully report as follows: That House Bill No. 204 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 265, respectfully report as follows: That House Bill No. 265 do not pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 273, respectfully report as follows: That House Bill No. 273 be amended as follows:

Under section 2, line 11 of the original bill, by deleting the period after the word "sanitarians" and inserting the words, "at least thirty (30) days prior to the next appointment date."

Under section 4, page 4, line 5, after the word "act," delete the words

"as approved by the council" and insert in lieu thereof, "in accordance with a budget developed by the council and the board";

And as amended, do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 285, respectfully report as follows: That House Bill No. 285 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 286, respectfully report as follows: That House Bill No. 286 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 319, respectfully report as follows: That House Bill No. 319 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 389, respectfully report as follows: That House Bill No. 389 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Mines and Mining, having had under consideration House Bill No. 407, respectfully report as follows: That House Bill No. 407 do pass.

HEALY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 432, respectfully report as follows: That House Bill No. 432 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 433, respectfully report as follows: That House Bill No. 433 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 434, respectfully report as follows: That House Bill No. 434 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 453, respectfully report as follows: That House Bill No. 453 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 454, respectfully report as follows: That House Bill No. 454 do not pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 495, respectfully report as follows: That House Bill No. 495 do not pass.

CLOWES, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Daniels that House Joint Memorial No. 11 be laid on the table. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriation measure at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 108 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Wold, Gerard, Mr. Speaker. Total 79.

Noes: Elting, Raundal, Sheehy, Wright. Total 4.

Absent and not voting: Anderson, Bradford, Gleed, Moudree, Page (Missoula), Tonner. Total 6.

Excused: Hawks, Langston, Nichols, Page (Granite), Woodring. Total 5.

House Bill No. 140 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Haines (Prairie), Haines (Missoula), Harball, Healy, Holding, Higham, Hanks, Holtz, Howard, Jensen, Karlberg, Kiff, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wood, Wright, Mr. Speaker. Total 76.

Noes: Aasheim, Elting, Gunderson, Holecek, Jardine, Kolar, Moudree, Wold, Raundal. Total 9.

Absent and not voting: Bradford, McGaffick, Tonner, Wayrynen. Total 4.

Excused: Hawks, Langston, Nichols, Page (Granite), Woodring. Total 5.

House Bill No. 146 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Paulsen, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 81.

Noes: Holecek, Parker, Powell, Raundal. Total 4.

Absent and not voting: Bradford, Kiff, Picard, Tonner. Total 4.

Excused: Hawks, Langston, Nichols, Page (Granite), Woodring. Total 5.

House Bill No. 163 was passed by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Holding, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Shea, Shelden, Sheldon, Walton, Wayrynen, Wood, Wold, Mr. Speaker. Total 68.

Noes: Abel, Bashor, Elting, Emmons, Gill, Healy, Higham, Holecek, Jardine, Kvaalen, McGaffick, McGarvey, Nelstead, Raundal, Sales, Schwinden, Sheehy, Strnisha, Wright. Total 19.

Absent and not voting: Barrett, Tonner. Total 2.

Excused: Hawks, Langston, Nichols, Page (Granite), Woodring. Total 5.

House Bill No. 177 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 84.

Noes: Elting, Fladager, McGaffick, Schwinden. Total 4.

Absent and not voting: Karlberg. Total 1.

Excused: Hawks, Langston, Nichols, Page (Granite), Woodring. Total 5.

House Bill No. 142 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Felt, Parker. Total 2.

Excused: Hawks, Langston, Nichols, Page (Granite), Woodring. Total 5.

House Joint Memorial No. 8 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Daniels, Devier, Emmons, Eskildsen, Fladager, Gilfeather, Gill, Glancy, Gleed, Gunderson, Harball, Healy, Holding, Holecek, Holtz, Jensen, Karlberg, Lees, Loughran, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Parker, Picard, Powell, Powers, Raundal, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 56.

Noes: Anderson, Angstman, Battin, Cavan, Corcoran, Curry, Elting, Felt, Fjare, Gerard, Haines (Missoula), Haines (Prairie), Higham, Howard, Jardine, Kiff, Kolar, Kvaalen, Leuthold, Loman, Morrison, Nelstead, Page (Missoula), Paulsen, Reinecke, Sales, Shelden, Walton, Wright. Total 29.

Absent and not voting: DeWolfe, Hanks, McGaffick, Reeder. Total 4.

Excused: Hawks, Langston, Nichols, Page (Granite), Woodring. Total 5.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Barrett of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 109 be amended in section 1, in lines 6 and 7 of the printed bill, being line 18 of the original bill, by underlining to show that "Revised Codes of Montana, 1947" is new material;

Further amend on line 11 of the printed bill, being line 23 of the original bill, by adding the words "(matter deleted)" after the word "date" and

Further amend on line 11 of the printed bill, being lines 23 and 24 of the original bill, by showing the words "of such revocation" as new material, by underlining;

And as amended, that House Bill No. 109 do pass.

That House Bill No. 178 do pass.

That House Bill No. 186 do pass.

That House Bill No. 198 do pass.

That consideration of House Bill No. 215 be passed for the day.

That House Bill No. 218 do pass.

That House Bill No. 237 be amended by adding a new section 7 to read as follows: "Section 7. Nothing herein contained shall be construed to affect any cause of action arising under the workmen's compensation act.";

Further amend by changing the original section 7 to read section 8, and section 8 to read section 9;

And as amended, that House Bill No. 237 do pass.

That House Bill No. 259 do pass.

That House Bill No. 266 do pass.

That House Bill No. 278 be amended in section 1, line 9 of the printed bill, being line 28 of the original bill, by inserting after the word "if" and before the word "for," the words "such taxes are levied"; and as amended, do pass.

That consideration of House Bill No. 299 be passed for the day.

That House Bill No. 302 do pass.

That House Bill No. 346 do pass.

That consideration of House Bill No. 393 be passed for the day.

That House Bill No. 402 do pass.

That House Bill No. 438 do pass.

That consideration of House Bill No. 440 be passed for the day.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 119, 188 and 214, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cеровski, that the House adjourn until 10:00 a.m., Saturday, February 7, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

THIRTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 7, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Hawks, Jensen, Page (Granite), Shea, Sheldon (Flathead), and Woodring, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-third Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 101, 107, 118, 120, 164, 183, 209, 216, 232, 305, 510 and Sub. House Bill No. 72, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 279, respectfully report as follows: That House Bill No. 279 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 280, respectfully report as follows: That House Bill No. 280 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 383, respectfully report as follows: That House Bill No. 383 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 395, respectfully report as follows: That House Bill No. 395 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 442, respectfully report as follows: That House Bill No. 442 be amended as follows:

In line 14 of page 2 of the original bill by deleting the word "a" after the word "by" and inserting in lieu thereof the word "three";

And be further amended in line 15 of page 2 of the original bill by adding an "s" to the word "agent," changing it to read "agents";

And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under

consideration House Bill No. 443, respectfully report as follows: That House Bill No. 443 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Rules, Joint Rules and Order of Business, having had under consideration a point of order referred to the Rules Committee concerning the introduction of a purported appropriation bill, respectfully report as follows: That the said document, signed by Felt, Gerard and Anderson, purported to be an appropriation measure, does not come within the meaning of an appropriation measure as provided by the Constitution. This being the case, we feel that this document cannot be introduced as a House Bill.

MacDONALD,
BARRETT,
CEROVSKI.

Motion was made by Cerovski for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority Committee on Rules, Joint Rules and Order of Business, having had under consideration a point of order referred to the Rules Committee and concerning the introduction of an appropriation bill, respectfully report as follows: That said bill, introduced by Felt, Gerard, and Anderson is clearly an appropriation measure as provided by the Constitution, as such may be introduced as an appropriation bill, and we recommend that it be accepted by the House.

GERARD,
ANDERSON.

Substitute motion was made by Gerard for adoption of the Minority Committee report. Gerard requested a roll call vote and that the results thereof be recorded on the Journal in full, and asked for a sufficient number of seconds. A sufficient number of seconds arose.

Cerovski moved the previous question on all motions before the House. Motion carried.

A roll call vote was taken on the Substitute Motion of Gerard and the motion failed to carry by the following vote:

Ayes: Anderson, Angstman, Babcock, Battin, Bentz, Broeder, Cavan, Corcoran, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Higham, Howard, Kiff, Kolar, Kvaalen, Leuthold, Loman, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Aeinecke, Sales, Walton, Wright. Total 32.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Karlberg, Langston, Lees, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 55.

Absent and not voting: Loughran. Total 1.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

Motion by Cerovski for adoption of the Majority Committee report carried. Report adopted.

Mr. Speaker: We, your Committee on Privileges, having had under

consideration House Bill No. 156, respectfully report as follows: That House Bill No. 156 do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 201, respectfully report as follows: That House Bill No. 201 do not pass, but that

Substitute House Bill No. 201, introduced by Committee on Privileges and Elections: A bill for an act entitled: "An act to amend section 23-929 of the Revised Codes of Montana, 1947, as amended by section 3, chapter 266 of the Montana Session Laws of 1955, relating to manner of election of county and city central committeemen, to delete the limitation limiting the meetings of county and city central committeemen to the year when a President of the United States is to be elected.";

Do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 328, respectfully report as follows: That House Bill No. 328 do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 287, respectfully report as follows: That House Bill No. 287 do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 377, respectfully report as follows: That House Bill No. 377 be referred to the Committee on Judiciary.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 408, respectfully report as follows: That House Bill No. 408 be printed and placed on General Orders without Committee recommendation.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 409, respectfully report as follows: That House Bill No. 409 be printed and placed on General Orders without Committee recommendation.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 422, respectfully report as follows: That House Bill No. 422 be referred to the Committee on Labor.

KARLBERG, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 6, 1959.

Honorable John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. J. R. 1—Introduced by Glancy and Devier.

H. B. 106—Introduced by Barrett and Gunderson.

H. B. 46—Introduced by Barnard, Wood, Howard and Felt.

H. B. 96—Introduced by Paulsen and Anderson.

Very truly yours,
J. HUGO ARONSON, Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Paulsen that House Bill No. 119, now on General Orders, be passed for the day. Motion carried.

Motion was made by Broeder that House Bill No. 109 be taken from the Committee on Engrossing and placed on General Orders. Motion carried.

Motion was made by Page (Missoula) that the House reconsider its previous action in accepting an adverse committee report on House Bill No. 319. Motion carried.

Motion was made by Holtz that the House reconsider its previous action in accepting an adverse committee report on House Bill No. 389. Motion carried.

Motion was made by Page (Missoula), that House Bill No. 319 be taken from the House and rereferred to the Committee on State Boards and Institutions. Motion carried.

Motion was made by Holtz that House Bill No. 389 be taken from the House and referred to the Committee on Banking and Insurance. Motion carried.

Cerovski moved that House Bill No. 129, now on General Orders, be passed for the day. Motion carried.

Cerovski moved that House Bill No. 134, now on General Orders, be passed for the day. Motion carried.

HOUSE RESOLUTION NO. 2

(Introduced by Cerovski)

A Resolution by the House of Representatives to the Appropriations Committee of the House of Representatives of the 36th Legislative Assembly:

Whereas, the Supreme Court of Montana had a large back-log of undecided cases.

Whereas, the 35th Legislative Assembly appropriated sufficient funds

to the Montana Supreme Court to provide for five law clerks to help and assist the judges of the said court to eliminate the large back-log of undecided cases.

Whereas, the 35th Legislative Assembly appropriated sufficient funds to the Montana Supreme Court to employ five legal stenographers to aid and assist the judges of the said Montana Supreme Court.

Whereas, reports have been made to the Legislature and in the public press by the chief justice and one other justice that the large back-log of undecided cases heretofore referred to have been disposed of and decided.

Whereas, said reports indicate that all Supreme Court cases are current and up to date.

Now, Therefore, Be It Resolved, that in view of economy, the appropriations committee of the House of Representatives be informed of the aforesaid facts. That appropriations no longer be made to the Supreme Court for the purpose of employing law clerks and stenographers in the numbers heretofore mentioned.

Motion was made by Cerovski that the foregoing Resolution be adopted.

Substitute motion was made by Battin that the Resolution be amended as follows: Amend the last paragraph to include the following words: "The House commends the Supreme Court for bringing their calendar up to date." Motion carried.

Substitute motion was made by Gilfeather that the Resolution further be amended to read as follows: "That the Supreme Court be allowed three law clerks." Motion carried.

Motion was made by Cerovski that the amended Resolution be adopted. Motion carried.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 144, 166, 302, 346, 402, 438, 186, 259, 178, 278, 266, 198 and 218 considered correctly engrossed.

PARKER, Chairman.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, and referred to the Committee on Printing:

Substitute House Bill No. 201, introduced by the Committee on Privileges and Elections: A bill for an act entitled: "An act to amend section 23-929 of the Revised Codes of Montana, 1947, as amended by section 3, chapter 266 of the Montana Session Laws of 1955, relating to manner of election of county and city central committeemen, to delete the limitation limiting the meetings of county and city central committeemen to the year when a President of the United States is to be elected."

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 144 was passed by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines

(Missoula), Hanks, Harball, Healy, Higham, Holecek, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 77.

Noes: Broeder, Haines (Prairie), Jardine. Total 3.

Absent and not voting: Abel, Devier, Gill, Holding, Morrison, Picard, Powers, Tonner. Total 8.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

House Bill No. 166 was passed by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 83.

Noes: None.

Absent and not voting: Abel, Gill, Picard, Powell, Tonner. Total 5.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

House Bill No. 302 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 84.

Noes: Fladager. Total 1.

Absent and not voting: Gerard, Gill, Holtz. Total 3.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

House Bill No. 346 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, Daniels, DeWolfe, Emmons, Felt, Fjare, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran,

McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheehy, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright. Total 74.

Noes: Cerovski, Devier, Elting, Fladager, Holecek, Nees, Parker, Sales, Mr. Speaker. Total 9.

Absent and not voting: Eskildsen, Gerard, Gill, Paulsen, Shelden. Total 5.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

House Bill No. 402 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, McGarvey, Mr. Speaker. Total 84.

Noes: Holecek. Total 1.

Absent and not voting: Gerard, Gill, Paulsen. Total 3.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

House Bill No. 438 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, McOmber, Mr. Speaker. Total 82.

Noes: Elting. Total 1.

Absent and not voting: Bradford, Clowes, Gerard, Gill, Paulsen. Total 5.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

House Bill No. 186 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick,

McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 77.

Noes: Angstman, Fladager, Higham. Total 3.

Absent and not voting: Cerovski, Clowes, Gerard, Gill, Holecek, Loughran, Paulsen, Picard. Total 8.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

House Bill No. 259 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wold, Wood, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Clowes, Gerard, Gill. Total 3.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

House Bill No. 178 was passed by the following vote:

Ayes: Aasheim, Babcock, Bardanouve, Barrett, Barnard, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Curry, Daniels, Emmons, Eskildsen, Felt, Fjare, Gilfeather, Glancy, Haines (Prairie), Haines (Missoula), Hanks, Harball, Holding, Holecek, Holtz, Howard, Karlberg, Kiff, Kolar, Leuthold, Loman, Loughran, McGarvey, McNally, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Paulsen, Powers, Reeder, Regan, Rindy, Sales, Shelden, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 54.

Noes: Abel, Angstman, Barnes, Cerovski, DeWolfe, Elting, Fladager, Gleed, Gunderson, Healy, Higham, Jardine, Kvaalen, Langston, Lees, McGaffick, McOmber, Morrison, Powell, Raundal, Reinecke, Schwinden, Sheehy, Strnisha, Walton, Wright. Total 26.

Absent and not voting: Anderson, Clowes, Devier, Gerard, Gill, Mernin, Parker, Picard. Total 8.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

House Bill No. 278 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, Mc-

Nally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Rindy, Sales, Schwinden, Sheehy, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 81.

Noes: Fladager. Total 1.

Absent and not voting: Felt, Gerard, Gill, Raundal, Reinecke, Shelden. Total 6.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

House Bill No. 266 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holtz, Howard, Jardine, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 76.

Noes: Elting, Fladager, Holding, Higham, Holecek, Kolar, Sheehy. Total 7.

Absent and not voting: Aasheim, Gerard, Gill, McGaffick, Strnisha. Total 5.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

House Bill No. 198 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 83.

Noes: Elting, Holecek. Total 2.

Absent and not voting: Gerard, Gill, Nees. Total 3.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

House Bill No. 218 was passed by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin,

Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 78.

Noes: Bashor, Holecek, Kolar, Morrison, Moudree, Nees, Schwinden. Total 7.

Absent and not voting: Abel, Gerard, Gill. Total 3.

Excused: Hawks, Jensen, Page (Granite), Shea, Sheldon, Woodring. Total 6.

The Speaker signed Senate Substitute for Senate Bill No. 4 and Senate Joint Resolution No. 2 in open session, the titles having first been read.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 99 and 100, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration House Bill No. 22, respectfully report as follows: That photo offsets of page 4 and page 6 of the original House Bill No. 22 be examined by the Speaker of the House of Representatives and after examination be certified that they are original pages of the enrolled bill and after being so certified, pages 4 and 6 of said enrolled House Bill No. 22 be considered part of the final enrolled bill and be transmitted to the Governor.

CEROVSKI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 121, respectfully report as follows: That House Bill No. 121 be amended as follows:

In the title of the bill, line 5, by inserting after the word "dead" the word "human."

And further amend as follows:

Section 1, line 13, after the word "dead," insert the word "human";

Section 2, line 22, delete the word "touch" and insert the words "and unnecessarily";

Section 2, line 23, after the word "wilfully," insert the words "and unnecessarily";

Section 2, line 24, after the word "wilfully," insert the words "and unnecessarily";

Section 2, line 25, after the word "wilfully," insert the words "and unnecessarily";

And further amend as follows:

Section 3, line 29, delete the words "the coroner, in his discretion," and insert the following: "When a coroner is informed that a person has been killed or has committed suicide or has died under such circumstances as to afford a reasonable ground to suspect that his death has been occasioned by the act of another by criminal means, he, in his discretion.";

And as amended, do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 263, respectfully report as follows: That House Bill No. 263 do not pass, but that

Substitute House Bill No. 263, introduced by the Committee on Affairs of Cities: A bill for an act entitled: "An act to amend section 11-1912, Revised Codes of Montana, 1947, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same, and providing a maximum levy for such provisions by cities in the third class, containing a repealing clause and providing an effective date.";

Do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bill correctly enrolled: House Bill No. 22.

JARDINE, Chairman.

I have examined House Bill No. 22 introduced by me and find the same to be correct.

GUNDERSON.

The Speaker signed House Bill No. 22 in open session, the title having first been read.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 298, respectfully report as follows: That House Bill No. 298 do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 503, respectfully report as follows: That House Bill No. 503 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 359, respectfully report as follows: That House Bill No. 359 do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Majority of your Committee on Ways and

Means, having had under consideration House Bill No. 65, respectfully report as follows: That House Bill No. 65 do not pass.

GILFEATHER,
EMMONS,
GUNDERSON,
HOLTZ,
WOOD,
SHEEHY,
STRNISHA,
HOLECEK,
SCHWINDEN,
PARKER,
McGARVEY,
HANKS.

Motion was made by Gilfeather for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Ways and Means, having had under consideration House Bill No. 65, respectfully report as follows: That House Bill No. 65 do pass.

FELT,
POWELL,
NELSTEAD,
SALES,
CORCORAN,
PAGE (Missoula),
ANGSTMAN.

Substitute motion was made by Felt for adoption of the Minority Committee report.

Gerard asked for a roll call vote on the above motion and requested a Call of the House, and that the roll call vote be recorded in the Journal. There being a sufficient number of seconds, the Speaker ordered a Call of the House. At the completion of the roll call, progress having been reported, Cerovski moved that the Call of the House be dispensed with, which motion carried. The motion for adoption of the Minority Committee report failed to carry by the following vote:

Ayes: Anderson, Angstman, Babcock, Battin, Bentz, Broeder, Cavan, Corcoran, Curry, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Higham, Kvaalen, Lees, Leuthold, Morrison, Nelstead, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales. Total 28.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Clowes, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Karlberg, Kolar, Langston, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Parker, Picard, Powers, Reeder, Rindy, Schwinden, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 51.

Paired: Nichols, aye; Raundal, no.

Absent and not voting: Kiff, Nees. Total 2.

Excused: Bashor, Gill, Haines (Missoula), Hawks, Howard, Jensen, Loughran, Page (Granite), Shea, Sheldon, Woodring. Total 11.

Motion for adoption of the Majority Committee report carried. Report adopted.

Mr. Speaker: We, the Majority of your Committee on Ways and

Means, having had under consideration House Bill No. 234, respectfully report as follows: That House Bill No. 234 do not pass.

GILFEATHER,
HOLECEK,
HOLTZ,
SCHWINDEN,
McGARVEY,
HANKS,
WOOD,
GUNDERSON,
STRNISHA,
SHEEHY,
EMMONS.

Motion was made by Gilfeather for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Ways and Means, having had under consideration House Bill No. 234, respectfully report as follows: That House Bill No. 234 do pass.

FELT,
NELSTEAD,
POWELL,
SALES,
PAGE (Missoula).

Substitute motion was made by Battin for adoption of the Minority Committee report. Request was made by Battin for a roll call vote to be recorded in full on the Journal, that there be a Call of the House, and asked for fifteen seconds. There being a sufficient number of seconds, the Speaker ordered a Call of the House. After roll call, Cerovski moved that, progress having been reported, the Call of the House be dispensed with. The Substitute motion failed to carry by the following vote:

Ayes: Anderson, Angstman, Babcock, Battin, Bentz, Broeder, Cavan, Corcoran, Curry, Elting, Felt, Fjare, Gerard, Gleed, Haines (Prairie), Harball, Higham, Kiff, Kvaalen, Lees, Leuthold, Morrison, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Wright. Total 31.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Clowes, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fladager, Gilfeather, Glancy, Gunderson, Hanks, Healy, Holding, Holecek, Holtz, Karlberg, Kolar, Langston, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Parker, Picard, Powers, Reeder, Rindy, Schwinden, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Mr. Speaker. Total 50.

Absent and not voting: Jardine. Total 1.

Excused: Bashor, Gill, Haines (Missoula), Hawks, Howard, Jensen, Loughran, Page (Granite), Raundal, Shea, Sheldon, Woodring. Total 12.

Motion for adoption of the Majority Committee report carried. Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 419, respectfully report as follows: That House Bill No. 419 do not pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had

under consideration Senate Substitute for Senate Bill No. 8, respectfully report as follows: That Senate Substitute for Senate Bill No. 8 be amended as follows:

Amend the title by adding the following words "and containing an expiration date.";

Further amend by adding the following section: "Section 3. This act shall remain in full force and effect until December 31, 1960.";

And as amended, be concurred in.

WAYRYNEN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Picard that House Bill No. 298 be taken from the Printing Committee and referred to the Committee on Townships and Counties. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, and referred to the Committee on Printing:

Substitute House Bill No. 263, introduced by the Committee on Affairs of Cities: A bill for an act entitled: "An act to amend section 11-1912, Revised Codes of Montana, 1947, relating to disability and pension funds of fire department relief associations and the tax levy for maintaining same, and providing a maximum levy for such provisions by cities in the third class, containing a repealing clause and providing an effective date."

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Babcock of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 158 be amended in the title, in lines 1 and 2 of the printed bill, being lines 3 and 4 of the original bill, by striking the figures and words "96, chapter 263, Laws of Montana, 1955" and inserting in lieu thereof the figures and words "32-2199, Revised Codes of Montana, 1947";

Be further amended in section 1, in line 1 of the printed bill, being line 11 of the original bill, by striking out the words and figures "96, chapter 263, Laws of Montana, 1955" and by inserting in lieu thereof the figures and words "section 32-2199, Revised Codes of Montana, 1947";

Be further amended on line 3, page 1 of the printed bill, being line 13 of the original bill, by striking the word and figure "section 96" and inserting in lieu thereof the figure "32-2199"; and as amended, do pass.

That consideration of House Bill No. 215 be passed for the day.

That House Bill No. 299 be amended in the title, lines 1 and 2 of the printed bill, being lines 3 and 4 of the original bill, by striking the figures

and words "144, chapter 263, Laws of Montana, 1955" and inserting in lieu thereof the figures and words "32-21-147 of the Revised Codes of Montana, 1947";

Be amended further in section 1, by striking out in line 1 of the printed bill, being lines 10 and 11 of the original bill, the words and figures "144, chapter 263, Laws of Montana, 1955" and inserting in lieu thereof the words and figures "32-21-147 of the Revised Codes of Montana, 1947";

Be amended further in section 1, line 3, of the printed bill which is line 12 of the original bill, by striking the figures "144" and inserting in lieu thereof the figures "32-21-147";

And as amended, do pass.

That House Bill No. 393 be amended in the title by adding after the last word thereof, the following: "and containing a repealing clause";

And as amended, do pass.

That House Bill No. 440 be amended in the title in lines 2 and 3 of the printed bill, being line 6 of the original bill, by deleting the words "in calling for bids";

Be amended further in the title in line 6 of the printed bill which is line 9 of the original bill, after the word "that" by adding the word "treated";

Be amended further in section 1 in line 1 of the printed bill, which is line 14 of the original bill, by deleting the words "calling for bids on"; and be amended further in section 1, in line 2 of the printed bill, which is line 16 of the original bill, by adding after the word "shall" the words "where feasible";

Be further amended in section 1, on line 4 of the printed bill, being line 18 of the original, by adding the word "treated" before the word "wooden";

And as amended, do pass.

That House Bill No. 29 do pass.

That House Bill No. 113 do pass.

That House Bill No. 243 be amended in section 14 by striking out in lines 11 and 12 of the printed bill, being lines 17, 18 and 19 of the original bill, the words "is entitled to obtain a copy of that list on application to the board, which amount shall not exceed the cost of the list so furnished," and inserting in lieu thereof the words "may obtain a copy of the list above referred to by paying to the board an amount not to exceed the cost of publication of said list.";

And as amended, do pass.

That Substitute House Bill No. 161 do pass.

That House Bill No. 188 be amended in section 7, on line 7, of page 4 of the printed bill, being line 9, page 5 of the original bill by inserting after the word "person" the word "who";

Be further amended in section 13, in line 1, page 5 of the printed bill, being line 20, page 6 of the original bill, by inserting after the word "a" the words "member shall receive a";

And as amended, do pass.

That House Bill No. 214 do pass.

That consideration of House Bill No. 222 be passed for the day.

That House Bill No. 304 be amended in section 5, by striking out in line 6, page 2 of the printed bill, being lines 6 and 7 on page 2, of the original bill, after the word "association," the following: "The Montana Child Welfare Advisory Committee" and inserting in lieu thereof the words "The Montana Congress of Parents and Teachers";

Be amended further in section 5, on line 12, page 2 of the printed bill, being line 15, page 2 of the original bill, after the word "appointed" and before the word "for" by inserting the following word "yearly"; and

And as amended, do pass.

That House Bill No. 327 do pass.

That House Bill No. 394 do pass.

That House Bill No. 109 be amended by striking the previous Committee of the Whole amendments to lines 18, 23 and 24, page 1 of the original bill, and as amended, do pass.

That Senate Bill No. 63 be concurred in.

BABCOCK, Chairman.

Motion was made by Babcock for adoption of the Committee report.

Substitute motion was made by Angstman that House Bill No. 188 be segregated from the Committee of the Whole report. Motion carried.

Motion was made by Babcock that the Committee of the Whole report be adopted, as amended. Motion carried. Amended report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Monday, February 9, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

THIRTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 9, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Gill, who was excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-fourth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

REPORTS OF SELECT COMMITTEES

REPORT OF SPECIAL COMMITTEE TO INVESTIGATE THE CONSOLIDATING OF BOARDS, BUREAUS AND DEPARTMENTS

Mr. Speaker:

We, your special investigating committee, make this report pursuant

to the motion adopted on January 8, 1959, requesting recommendations and legislation to effectuate the consolidation of boards, bureaus and departments of our state government for the purpose of effecting economy and efficiency. The following recommendations are being submitted with legislation to implement the recommendations:

1. Your committee believes the Fish and Game Department should support its share of the cost of general state government and should continue to pay for specific services such as are rendered by the controller. Legislation introduced by the committee will accomplish this and will produce approximately \$87,000 per year of additional revenue for the general fund.

2. In investigating the Hail Insurance Department, your committee recommends that the hail insurance reserve be raised from \$1,200,000.00 to \$1,350,000.00.

3. We recommend the Montana State School for the Deaf and Blind be removed from the control of the Board of Education and that it be placed under the control and supervision of the Superintendent of Public Instruction.

4. The committee recommends the abolishment of the Farmers Institute Board, the Post-war Planning and Construction Commission, the Governor's Advisory Committee on Reorganization, and the Governor's Committee on Inter-governmental Cooperation. All of these are dormant and inoperative.

5. The committee recommends that the Legislative Council take over the duties of the Montana Commission on Inter-governmental Cooperation.

6. The Poultry Improvement Board should be abolished and its functions transferred to the Livestock Sanitary Board.

Legislation has been introduced for all the above recommendations and we hope they will meet with your approval.

Due to the limited time your committee had on this investigation, we feel that further studies and consideration should be made by the Legislative Council and that if in their opinion, these following recommendations warrant further action that suitable legislation and recommendations be made for the next legislative session by the Legislative Council.

1. It is the unanimous opinion of your committee, that greater economies can be derived by the establishment of a car pool for all state offices in Helena and that a considerable savings can be made by the elimination of painting state cars. The initial cost of painting, plus the loss of Blue Book value, when the car is traded in on new equipment warrants further study.

This committee feels that a suitable decal of sufficient size to be easily recognized, can be placed on the two front doors of each state vehicle and when the car is sold, it can be removed and the loss of trade-in value can be reduced.

2. Your committee recommends that the Milk Control Board be placed under the direction and supervision of the Department of Agriculture.

3. Your committee recommends that the Livestock Commission and its operation be placed under the Department of Agriculture.

4. It is further recommended that the Carey Land Act Board be eliminated, as soon as all present loans are retired. It is our understanding that this will be accomplished within the next two years.

5. We recommend that the Hail Insurance Department and its activities be transferred to the Department of Agriculture.

6. We recommend that the State Highway Department be placed under budgetary control of the State Legislature.

7. We recommend that a complete study be made on feasibility of transferring the State Training School at Boulder and the Orphans Home at Twin Bridges to the Department of Public Welfare. That the State Sanitarium at Galen and the State Hospital at Warm Springs be placed under the State Board of Health.

8. It is further recommended that the administration and control of all present and future public employees retirement system (with the exception of the teachers retirement board) be placed under the administration and control of the public employees retirement system and that the deposits and investments of funds be either, commingled or maintained as separate funds, which ever seems the most practical.

9. We recommend the Apprenticeship Council and its activities be transferred to the Unemployment Compensation Commission.

10. The committee recommends that a complete investigation be made with the possibility of combining the Department of Labor, the Unemployment Compensation Commission, the Industrial Accident Board and the Bureau of Vocational Rehabilitation into one new Department of Labor.

11. The committee further recommends that continued study and investigation be made into the possibility of creating a new agency, to be termed the Conservation Commission and that this commission shall include the following boards and offices: State Engineer, State Water Conservation Board; State Grass Conservation; State Soil Conservation and State Water Pollution Boards. It should, also, include any other related activities, whether now in existence or hereafter created.

12. We recommend that a complete study be made to eliminate the unnecessary duplication in the courses of study and training at any of the units of the greater University of Montana.

13. After preliminary study of the annual report of the Montana Liquor Control Board, we recommend that the Legislative Council be authorized and directed to study the feasibility of eliminating certain unprofitable state retail liquor stores.

Certain stores in 1958 showed a loss and the percentage of profits in some were below ten-percent. It is noted that the dining cars profit on liquor sales in 1958 was over twenty-seven percent. We feel that these stores not showing a reasonable profit should be eliminated.

14. It is the opinion of your committee that a study should be made to combine as far as possible, all laboratory activities and that this be done at the State College of Bozeman.

This special investigating committee has noted previous efforts that have been made toward the reorganization of our state government. These include the reports prepared by Griffenhagen and Associates, under direction of the Committee on Reorganization and Economy appointed by Governor Ford, and the activities of the Legislative Council created in 1951, and of the present Legislative Council. It is obvious that your special investigating committee cannot present a report based on a study similar to those presented by the other committees which worked on a two-year basis. This committee has interviewed a number of department heads and the committee's records will include information collected as a result of those interviewed and will be transmitted to the Legislative Council.

For purposes of general information to members of the Legislative Assembly and in order to obtain more value from the \$25,000 that was expended to obtain the services and the report prepared by Griffenhagen and Associates, this committee has re-mimeographed the summary of recommendations made by Griffenhagen and Associates. These are being submitted as an exhibit with this report. Some of the Griffenhagen recommendations are no longer appropriate and your committee emphasizes, that they are not necessarily supporting all of its recommendations. We have not tried to edit the Griffenhagen summary.

We, your Committee, hope that the legislation presented and our recommendations will be carried out, and that greater efficiency and economy will be accomplished, by this report.

REGAN, Chairman,
CASEY,
FELT.

Motion was made by Regan for adoption of the committee report, said report to be spread on the Journal in full, excluding the exhibits. Motion carried.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 77, respectfully report as follows: That House Bill No. 77 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 197, respectfully report as follows: That House Bill No. 197 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 208, respectfully report as follows: That House Bill No. 208 do pass.

TONNER, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 7, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on County Affairs on this day, report adopted, and the same is herewith returned to the House:

House Bill No. 102 by Fladager et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate,

February 7, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 89 by Groff, Dussault.
Senate Bill No. 90 by Groff, Dussault.
Senate Bill No. 88 by Groff, Dussault.
Senate Bill No. 91 by Groff, Dussault.
Senate Bill No. 87 by Groff, Dussault.
Senate Bill No. 151 by Anderson (Lincoln).
Senate Bill No. 174 by McKenna (Judith Basin).
Senate Bill No. 154 by Committee on Education.
Senate Bill No. 106 by Lehrkind et al.
Senate Bill No. 94 by Minette et al.
Senate Bill No. 111 by Stein et al.
Senate Bill No. 141 by Committee on Agriculture.
Senate Bill No. 86 by Groff, Dussault.
Senate Bill No. 156 by McGowan, Anderson (Wibaux).
Senate Bill No. 140 by Committee on Agriculture.
Senate Bill No. 72 by Dussault, Harken.
Senate Bill No. 166 by Bovey.
Senate Joint Memorial No. 3 by Mahoney (Garfield) et al.
Senate Joint Memorial No. 4 by Hibbs et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate,

MOTIONS AND RESOLUTIONS

Motion was made by Picard that House Bill No. 99, now on General Orders, be passed for the day. Motion carried.

Motion was made by McOmber that House Bill No. 188, now on General Orders, be passed for the day. Motion carried.

Motion was made by Hawks that House Bill No. 215, now on General Orders, be passed for the day. Motion carried.

Motion was made by McGarvey that House Bill No. 208 be taken from the Committee on Printing and referred to the Committee on Judiciary. Motion carried.

INTRODUCTION OF BILLS AND MEMORIALS

The following were introduced, read first and second times, and referred to committees:

Senate Bill No. 89, introduced by Groff, Dussault: A bill for an act entitled: "An act to amend section 28-103 of the Revised Codes of Montana, 1947, relating to fire protection to provide for the definition of forest land, for the purposes of this act; to allow the state forester to expand the forest fire season; and to provide for the creation of protection zones." Referred to Committee on State Lands, Forests and Parks.

Senate Bill No. 90, introduced by Groff, Dussault: A bill for an act entitled: "An act to amend section 28-110 of the Revised Codes of Montana, 1947, relating to forest fire protection by the State Board of Forestry and provides for compliance of forest fire laws; provides for the designation of boundaries of forest fire protection districts." Referred to Committee on State Lands, Forests and Parks.

Senate Bill No. 88, introduced by Groff, Dussault: A bill for an act entitled: "An act to amend section 28-104 of the Revised Codes of Montana, 1947, relating to land or timber owner's responsibility to provide for conservation and fire protection measures being applicable to non-commercial and non-merchantable timber." Referred to Committee on State Lands, Forests and Parks.

Senate Bill No. 91, introduced by Groff, Dussault: A bill for an act entitled: "An act to amend section 28-105 of the Revised Codes of Montana, 1947, relating to the State Board of Forestry to provide for the creation of organized forest fire protection districts; and to provide through the state forester for forest fire protection by the state forester's organization." Referred to Committee on State Lands, Forests and Parks.

Senate Bill No. 87, introduced by Groff, Dussault: A bill for an act entitled: "An act to amend section 28-111 of the Revised Codes of Montana, 1947, relating to forest fire protection and provides for the determination of the cost of forest fire protection and certification." Referred to Committee on State Lands, Forests and Parks.

Senate Bill No. 151, introduced by Anderson (Lincoln): A bill for an act entitled: "An act to amend section 46-1501 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 103, laws of 1951, relating to the creation, size, location and dissolution of herd districts; to provide for herd district sizes to contain twelve (12) square miles, lying not less than one (1) mile in width, when located outside of incorporated cities. To provide for the repeal of all acts and parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

Senate Bill No. 174, introduced by McKenna (Judith Basin): A bill for an act entitled: "An act to amend section 25-236 of the Revised Codes of Montana, 1947, relating to the fees of coroners, providing that for each day or fraction of day engaged in making an investigation relative to a death, whether an inquest is later held or not, the coroner is entitled to receive the fee of fifteen dollars (\$15.00); for each day or fraction of day engaged in holding an inquest, said coroner is entitled to receive the fee of fifteen dollars (\$15.00); containing a limitation upon the number of day's fees that will be allowed for such investigation and inquest, and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Townships and Counties.

Senate Bill No. 154, introduced by Committee on Education: A bill for an act entitled: "An act to amend section 75-3804, Revised Codes of Montana, 1947, relating to the form and marking of ballots in school district elections; substituting the word 'district' for the words 'ten mill' in the form of the ballot; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Education.

Senate Bill No. 106, introduced by Lehrkind, Dussault, Cole: A bill for an act entitled: "An act to amend section 94-1805, Revised Codes of Montana, 1947, relating to obtaining money or property by false pretenses;

making it an offense to obtain services by false pretenses." Referred to Committee on Judiciary.

Senate Bill No. 94, introduced by Minette, Cumming, Smith: A bill for an act entitled: "An act to provide for emergency succession to the office of Governor in the event of enemy attack upon the United States and to provide for selection of an emergency seat of government in case of such attack; providing for a repealing clause and an effective date." Referred to Committee on Judiciary.

Senate Bill No. 111, introduced by Stein, Dussault, Mahoney (Garfield), Ruane, Harken, Mahoney (Sanders), Carney, Nees: A bill for an act entitled: "An act to require a true, plain and impartial statement of the meaning and purpose of any referendum, initiative or constitutional amendment submitted to the vote of the people of the State of Montana and repealing all acts and parts of acts in conflict therewith." Referred to Committee on Judiciary.

Senate Bill No. 141, introduced by Committee on Agriculture, Rice (Chairman): A bill for an act entitled: "An act to amend section 90-140, Revised Codes of Montana, 1947, relating to the regulation of milk containers, by including therein the half-pint and one-quarter pint; containing a repealing clause." Referred to Committee on Agriculture, Dairying and Horticulture.

Senate Bill No. 86, introduced by Groff, Dussault: A bill for an act entitled: "An act to amend section 28-109 of the Revised Codes of Montana, 1947, relating to the State Board of Forestry to provide for the classification of lands for forest fire protection purposes; and to provide for the duties of the owners of classified forest land." Referred to Committee on State Lands, Forests and Parks.

Senate Bill No. 156, introduced by McGowan, Anderson (Wibaux): A bill for an act entitled: "An act to amend section 53-615.1, Revised Codes of Montana, 1947 (enacted as section 1, chapter 251, laws of 1955) relating to three unit combinations—fees in lieu of—marking on tractors; providing that semitrailers or trailers shall also be required to have marked thereon the total gross vehicle weight for which tax has been paid; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 140, introduced by Committee on Agriculture (Rice, Chairman): A bill for an act entitled: "An act to amend section 90-132, Revised Codes of Montana, 1947, as amended by chapter 130, laws of 1951, relating to the weight of commodities to be indicated on containers, by providing that all meat, meat products, fish and poultry shall be offered or exposed for sale by net weight except immediate consumption on the premises; containing a repealing clause." Referred to Committee on Agriculture, Dairying and Horticulture.

Senate Bill No. 72, introduced by Dussault, Harken: A bill for an act entitled: "An act to amend section 91-4407 of the Revised Codes of Montana, 1947, as amended by chapter 5, Session Laws of Montana, 1957, relating to the deductions on inheritance tax; providing that attorneys' fees, filing fees, necessary expenses and closing costs in termination of joint tenancies and life estates and transfers in contemplation of death and all other proceedings for the determination of inheritance tax shall be deductible; providing for a repealing clause; and providing for an effective date of this act." Referred to Committee on Judiciary.

Senate Bill No. 166, introduced by Bovey: A bill for an act entitled: "An act to amend section 53-617 Revised Codes of Montana, 1947, relating to sales tax on new passenger vehicles; providing that the State Highway Commission may use any available price list if the manufacturer or importer fails to furnish a price list; repealing all acts and parts of acts in

conflict herewith." Referred to Committee on Highways and Highway Transportation.

Senate Joint Memorial No. 3, introduced by Mahoney (Garfield), Cotton, Thiessen, Nixon: A Joint Memorial of the Senate and House of Representatives of the State of Montana to the Congress of the United States; Honorable James E. Murray and Honorable Mike Mansfield, Senators from the State of Montana; Honorable Lee Metcalf and Honorable LeRoy Anderson, Representatives in Congress from the State of Montana; urging the United States Congress to investigate and study the supply, control, allocation and use of the Missouri basin waters and power. Referred to Committee on Irrigation and Water Conservation.

Senate Joint Memorial No. 4, introduced by Hibbs, Mackay, Brenner, Brownfield: A Joint Memorial by the Senate and the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana to the Governor of the State of Montana and to the heads of all departments of the state government of the State of Montana relating to a good business climate in the State of Montana. Referred to Committee on Ways and Means.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 51, 113, 149, 150, 237, 327, 394, and Sub. House Bill No. 161 and House Bill No. 214 considered correctly engrossed.

PARKER, Chairman.

THIRD READING OF SENATE BILLS

Senate Bill No. 63, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bashor, Battin, Bentz, Broeder, Cavan, Cerovski, Clowes, Corcoran, DeWolfe, Emmons, Eskildsen, Fjare, Gerard, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Howard, Jardine, Karlberg, Kolar, Kvaalen, Langston, Lees, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Picard, Powers, Raundal, Regan, Rindy, Shea, Sheehy, Shelden (Lincoln), Sheldon (Flathead), Strnisha, Tonner, Walton, Wayrynen, Wold, Wright, Mr. Speaker. Total 63.

Noes: Aasheim, Barnard, Barnes, Bradford, Daniels, Devier, Elting, Fladager, Gilfeather, Holecek, Holtz, Leuthold, Parker, Paulsen, Powell, Reeder, Reinecke, Schwinden, Wood. Total 19.

Absent and not voting: Bardanouve, Barrett, Casey, Curry, Felt, Hanks, Jensen, Kiff, Moudree, Sales, Woodring. Total 11.

Excused: Gill. Total 1.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, titles and history agreed to, were disposed of in the following manner:

House Bill No. 51, being a bill calling for a constitutional amendment and requiring a two-thirds vote, Cerovski moved for a Call of the House and asked for fifteen seconds. There being a sufficient number of seconds, the Speaker ordered a Call of the House. Roll call having been completed, and progress having been reported, Cerovski moved that the Call of the House be dispensed with. Motion carried, and the following vote was taken:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor,

Bradford, Casey, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Gilfeather, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Lees, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Nelstead, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 61.

Noes: Anderson, Angstman, Babcock, Battin, Bentz, Broeder, Cavan, Corcoran, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Leuthold, Loman, Morrison, Nichols, Page (Missoula), Paulsen, Powell, Reinecke, Sales, Walton, Wright. Total 32.

Absent and not voting: None.

Excused: Gill. Total 1.

House Bill No. 51 failed to pass.

House Bill No. 113 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: Holtz, Lees, Moudree, Powell. Total 4.

Excused: Gill. Total 1.

House Bill No. 149, a bill calling for a constitutional amendment and requiring a two-thirds vote, was passed by the following vote:

Ayes: Anderson, Babcock, Barnard, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Woodring, Wold, Wright, Mr. Speaker. Total 79.

Noes: Aasheim, Abel, Angstman, Bardanouve, Barrett, Barnes, Cerovski, Holecek, Moudree, Parker, Raundal, Wood. Total 12.

Absent and not voting: Gilfeather, Schwinden. Total 2.

Excused: Gill. Total 1.

House Bill No. 149, introduced by Nelstead: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State

of Montana an amendment to section 5, article XVI of the Constitution of the State of Montana, relating to election of county officers, to make it possible for county treasurers to succeed themselves; and providing an effective date."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That section 5 of article XVI of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana at the general election to be held in November of 1960.

Section 2. That section 5 of article XVI of the Constitution of the State of Montana, be, and the same is hereby amended to read as follows:

"Sec. 5. There shall be elected in each county the following county officers who shall possess the qualifications for suffrage prescribed by section 2 of article IX of this constitution and such other qualifications as may be prescribed by law:

"One county clerk who shall be clerk of the board of county commissioners and ex-officio recorder; one sheriff; one treasurer, who shall be collector of taxes, (matter deleted); one county superintendent of schools; one county surveyor; one assessor; one coroner; one public administrator. Persons elected to the different offices named in this section shall hold their respective offices for the term of four (4) years, and until their successors are elected and qualified. Vacancies in all county, township and precinct offices, except that of county commissioners, shall be filled by appointment by the board of county commissioners, and the appointee shall hold his office until the next general election; provided, however, that the board of county commissioners of any county may, in its discretion, consolidate any two or more of the within named offices and combine the powers and the duties of the said offices consolidated; however, the provisions hereof shall not be construed as allowing one (1) office incumbent to be entitled to the salaries and emoluments of two (2) or more offices; provided, further, that in consolidating county offices, the board of county commissioners shall, six (6) months prior to the general election held for the purpose of electing the aforesaid offices, make and enter an order, combining any two (2) or more of the within named offices, and shall cause the said order to be published in a newspaper, published and circulated generally in said county, for a period of six (6) weeks next following the date of entry of said order."

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed upon an official ballot provided by chapter 11 of title 23 of the Revised Codes of Montana, 1947, as amended by chapter 79 of the Session Laws of Montana of 1949, and as amended by chapter 72 of the Session Laws of 1953, and as provided by law; and there shall be printed on such ballots the title of this act and the following words:

- ☐ For the above amendment.
- ☐ Against the above amendment.

Section 4. The votes cast for and against the amendment herein proposed shall be counted, canvassed, and determined by such officials and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment, and Governor of the state shall so declare by public proclamation, and said amendment shall be in full force and affect as a part of the Constitution of the State of Montana from and after the date of such proclamation.

Section 5. This act shall become effective on July 1, 1961.

House Bill No. 150 was passed by the following vote:

Ayes: Anderson, Babcock, Bardanouve, Barrett, Barnard, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Higham, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 79.

Noes: Aasheim, Abel, Angstman, Barnes, Cerovski, Holecek, Moudree, Parker, Raundal. Total 9.

Absent and not voting: Eskildsen, Holding, Holtz, Langston, Schwinden. Total 5.

Excused: Gill. Total 1.

House Bill No. 237 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright. Total 80.

Noes: Aasheim, Angstman, Holecek, Kolar, Nichols, Page (Granite), Parker, Raundal, Sheldon, Mr. Speaker. Total 10.

Absent and not voting: Holtz, Schwinden, Shelden. Total 3.

Excused: Gill. Total 1.

House Bill No. 394 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Sheldon, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 90.

Noes: Angstman. Total 1.

Absent and not voting: Eskildsen, Schwinden. Total 2.

Excused: Gill. Total 1.

Substitute House Bill No. 161 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 87.

Noes: Elting, Hanks, Jardine, Kolar, Reeder, Sales. Total 6.

Absent and not voting: None.

Excused: Gill. Total 1.

House Bill No. 214 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fladager, Gilfeather, Glancy, Gunderson, Haines (Prairie), Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Jardine, Jensen, Karlberg, Kvaalen, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powers, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 68.

Noes: Anderson, Angstman, Babcock, Bentz, Corcoran, Elting, Felt, Fjare, Gerard, Gleed, Haines (Missoula), Howard, Kiff, Kolar, Loman, Paulsen, Powell, Raundal, Reinecke, Sales, Walton, Wright. Total 22.

Absent and not voting: Hanks, Langston, Moudree. Total 3.

Excused: Gill. Total 1.

House Bill No. 327 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 92.

Noes: None.

Absent and not voting: Moudree. Total 1.

Excused: Gill. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a

Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hawks of Big Horn in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Substitute House Bill No. 72 do pass.

That House Bill No. 100 do pass.

That House Bill No. 101 be amended in the title by adding after the last words thereof, the following: "Containing a repealing clause and providing for an effective date";

Be further amended in section 2 on line 8 of the printed bill, which is line 5, page 2 of the original bill, by deleting the words and figures "ten cents (10¢)" and inserting in lieu thereof the words and figures "eight cents (8¢)" and

Be further amended in section 2 on line 9, page 2 of the printed bill, being line 7, page 2 of the original bill, by inserting the word "and" after the word "law";

And as so amended, do pass.

That House Bill No. 107 do pass.

That House Bill No. 118 do pass.

That House Bill No. 119 do pass.

That House Bill No. 120 do pass.

That House Bill No. 134 be amended in section 1, in line 1 of the printed bill, being line 12 of the original bill, by striking out the words "and light engines" and

Be further amended in section 1 by striking in their entirety lines 7 and 8 of the printed bill, being lines 21, 22 and 23 of the original bill.

And as so amended, do pass.

HAWKS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House suspend Rule 44 in order that it may consider House Bill No. 29 in its printed form, to be considered correctly engrossed. Motion referred to the Committee on Rules, Joint Rules and Order of Business.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Printing, to whom was referred

House Bills Nos. 191, 231 and 264, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 100, 101, 107, 118, 119, 120, 134, 158, 243, 299, 304, 393, 440, 109 and Sub. House Bill No. 72.

PARKER, Chairman.

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 29, respectfully report as follows: That House Rule No. 44 be suspended and that the printed House Bill No. 29 as amended be considered the engrossed bill and that it be considered correctly engrossed. Provided, however, that any typographical errors normally corrected by the engrossment of a bill shall be corrected during the enrollment of said H. B. 29.

CEROVSKI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 43, respectfully report as follows: That House Bill No. 43 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 116, respectfully report as follows: That House Bill No. 116 do not pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 125, respectfully report as follows: That House Bill No. 125 do not pass, but that

Substitute House Bill No. 125, introduced by the Committee on Affairs of Cities: A bill for an act entitled: "An act to amend sections 11-725, 11-726, 11-728, 11-729 and 11-731 of the Revised Codes of Montana, 1947, as amended, pertaining to salaries and qualifications of mayors and aldermen, and salaries of police judges, city and town treasurers, city attorneys and city or town clerks; providing for maximum salaries of mayors and aldermen in first class cities having populations of between 10,000 and 25,000 persons and cities having more than 25,000 persons as determined by the last federal census; providing for the maximum salaries of city attorneys in first class cities having populations of more than 25,000 persons and providing for the maximum salary limit of city attorneys in first class cities with populations of less than 25,000 persons; providing maximum salaries for mayors and aldermen in cities of the second and third class and towns, and of police judges, treasurers, city attorneys and city or town clerks in all cities of the first class, second class and third class cities and towns; repealing all acts and parts of acts in conflict herewith."

Do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 133, respectfully report as follows: That House Bill No. 133 be amended as follows:

By striking the word "and" before the numeral "(5)" on line 19 of the original bill;

And be further amended by inserting after the word "students" and before the word "at" line 20 of the original bill the following: "and the inmates of the state prison",

And as amended, do pass.

Report adopted.

BARRETT, Chairman.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 220, respectfully report as follows: That House Bill No. 220 do pass.

Report adopted.

BARRETT, Chairman.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 277, respectfully report as follows: That House Bill No. 277 do pass.

Report adopted.

BARRETT, Chairman.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 300, respectfully report as follows: That House Bill No. 300 be amended as follows:

In the title of the original bill, in line 8, page 1, after the word "herewith" and before the period, insert the following: "; and providing an effective date."

And be further amended in section 1, page 1, line 15, after the word "societies," by deleting the following: "as hereinbefore specified in the preceding section" and inserting in lieu thereof the following: "(matter deleted) including all authorized and formerly authorized insurance corporations, associations and societies,"

And as amended, do pass.

Report adopted.

EMMONS, Chairman.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 317, respectfully report as follows: That House Bill No. 317 do pass.

Report adopted.

CLOWES, Chairman.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 338, respectfully report as follows: That House Bill No. 338 do pass.

Report adopted.

CLOWES, Chairman.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 347, respectfully report as follows: That House Bill No. 347 do not pass.

Report adopted.

CLOWES, Chairman.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration House Bill No. 375, respectfully report as follows: That House Bill No. 375 be amended as follows:

In section 1, by inserting in line 17, page 1 of the original bill, after the comma following the word "board" the following: "at not to exceed eight thousand five hundred dollars (\$8,500.00) per year.",

And as amended, do pass.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration House Bill No. 376, respectfully report as follows: That House Bill No. 376 be amended as follows:

In section 1, in line 1, page 3 of the original bill, after the word "board" and before "(matter deleted)" by inserting the following "(,)" and the board may contribute to his salary as indicated by section 81-1403.",

And as amended, do pass.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 390, respectfully report as follows: That House Bill No. 390 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 511, respectfully report as follows: That House Bill No. 511 do pass.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 514, respectfully report as follows: That House Bill No. 514 do not pass.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 518, respectfully report as follows: That House Bill No. 518 do pass.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 521, respectfully report as follows: That House Bill No. 521 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 522, respectfully report as follows: That House Bill No. 522 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration House Joint Resolution No. 4, respectfully report as follows: That House Joint Resolution No. 4 do pass.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration Senate Bill No. 97, respectfully report as follows: That Senate Bill No. 97 be concurred in.

LOUGHRAN, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Barnard that House Bill No. 44 be taken from General Orders and rereferred to the Committee on State Boards and Institutions. Motion carried.

Motion was made by Holtz that Senate Substitute for House Bill No. 36 be taken from the Committee on Agriculture, Dairying and Horticulture and referred to the Committee on Conservation and Development. Motion carried.

Motion was made by McOmber that House Bill No. 375 be taken from the Committee on Printing and referred to the Committee on Appropriations. Motion carried.

Motion was made by McOmber that House Bill No. 376 be taken from the Committee on Printing and referred to the Committee on Appropriations. Motion carried.

Motion was made by Morrison that House Bill No. 183, now on General Orders, be passed for the day. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, and referred to the Committee on Printing:

Substitute House Bill No. 125, introduced by the Committee on Affairs of Cities: A bill for an act entitled: "An act to amend sections 11-725, 11-726, 11-728, 11-729 and 11-731 of the Revised Codes of Montana, 1947, as amended, pertaining to salaries and qualifications of mayors and aldermen, and salaries of police judges, city and town treasurers, city attorneys and city or town clerks; providing for maximum salaries of mayors and aldermen in first class cities having populations of between 10,000 and 25,000 persons and cities having more than 25,000 persons as determined by the last federal census; providing for the maximum salaries of city attorneys in first class cities having populations of more than 25,000 persons and providing for the maximum salary limit of city attorneys in first class cities with populations of less than 25,000 persons; providing maximum salaries for mayors and aldermen in cities of the second and third class and towns, and of police judges, treasurers, city attorneys and city or town clerks in all cities of the first class, second class and third class cities and towns; repealing all acts and parts of acts in conflict herewith."

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriation measure at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 100 was passed by the following vote:

Ayes: Barnard, Bashor, Broeder, Clowes, Devier, Elting, Emmons, Gilfeather, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Holtz, Howard, Lees, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nelstead, Page (Missoula), Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Shelden, Sheldon, Strnisha, Tonner, Wood, Woodring, Mr. Speaker. Total 38.

Noes: Anderson, Angstman, Babcock, Bardanouve, Barnes, Bentz, Cerovski, Curry, Daniels, DeWolfe, Eskildsen, Felt, Fjare, Fladager, Gerard, Gleed, Hawks, Healy, Higham, Jardine, Karlberg, Kolar, Kvaalen, Leuthold, Loman, Loughran, Moudree, Nichols, Powell, Sales, Schwinden, Shea. Total 32.

Absent and not voting: Abel, Barrett, Battin, Casey, Haines (Prairie), Holding, Langston, Page (Granite), Parker, Walton, Wayrynen, Wright. Total 12.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wold. Total 12.

House Bill No. 101 was passed by the following vote:

Ayes: Anderson, Bardanouve, Barnard, Bashor, Broeder, Cerovski, Clowes, Curry, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Holtz, Howard, Jardine, Karlberg, Kvaalen, Langston, Lees, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Wood, Woodring, Mr. Speaker. Total 61.

Noes: Angstman, Babcock, Barnes, Bentz, Daniels, Eskildsen, Fladager, Hawks, Higham, Kolar, Leuthold, Moudree, Powell. Total 13.

Absent and not voting: Abel, Barrett, Battin, Casey, Parker, Walton, Wayrynen, Wright. Total 8.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wood. Total 12.

House Bill No. 107 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Cerovski, Clowes, Curry, Devier, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Mr. Speaker. Total 71.

Noes: Angstman, DeWolfe, Elting, Gunderson, Jardine, Mernin, Nelstead. Total 7.

Absent and not voting: Daniels, Casey, Wayrynen, Wright. Total 4.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wold. Total 12.

House Bill No. 118 was passed by the following vote:

Ayes: Anderson, Bardanouve, Barnard, Bentz, Broeder, Cerovski, Clowes, Elting, Eskildsen, Gerard, Gilfeather, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Holtz, Howard, Karlberg, Kvaalen, Lees, Leuthold, McGaffick, McGarvey, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Regan, Shelden, Sheldon, Strnisha, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 41.

Noes: Abel, Angstman, Babcock, Barrett, Barnes, Bashor, Battin, Curry, Daniels, Devier, DeWolfe, Emmons, Felt, Fjare, Fladager, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Jardine, Kolar, Loman, Loughran, McNally, Parker, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shea, Tonner. Total 37.

Absent and not voting: Casey, Langston, Picard, Wayrnen. Total 4.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wold. Total 12.

House Bill No. 119 was passed by the following vote:

Ayes: Abel, Anderson, Bardanouve, Barnard, Bentz, Broeder, Cerovski, Clowes, Elting, Eskildsen, Gerard, Gilfeather, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Holtz, Howard, Jardine, Karlberg, Kolar, Kvaalen, Lees, Leuthold, McGaffick, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Regan, Sales, Schwinden, Shelden, Sheldon, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 44.

Noes: Angstman, Babcock, Barrett, Barnes, Bashor, Battin, Curry, Daniels, Devier, DeWolfe, Emmons, Felt, Fjare, Fladager, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Loman, Loughran, McGarvey, McNally, Parker, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Shea, Tonner. Total 33.

Absent and not voting: Casey, Langston, Picard, Strnisha, Wayrynen. Total 5.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wold. Total 12.

House Bill No. 120 was passed by the following vote:

Ayes: Abel, Anderson, Bardanouve, Barnard, Bentz, Broeder, Clowes, Elting, Eskildsen, Fladager, Gerard, Gilfeather, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Holtz, Howard, Jardine, Karlberg, Kvaalen, Lees, Leuthold, McGaffick, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Regan, Schwinden, Shelden, Sheldon, Strnisha, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 43.

Noes: Angstman, Babcock, Barrett, Barnes, Bashor, Battin, Cerovski, Curry, Daniels, DeWolfe, Emmons, Felt, Fjare, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Kolar, Loman, Loughran, McGarvey, McNally, Parker, Powell, Powers, Raundal, Reeder, Rindy, Sales, Shea, Tonner. Total 33.

Absent and not voting: Casey, Devier, Langston, Picard, Reinecke, Wayrynen. Total 6.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wold. Total 12.

House Bill No. 134 was passed by the following vote:

Ayes: Abel, Babcock, Barnard, Battin, Bentz, Cerovski, Clowes, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Hanks, Harball, Healy, Holding, Holtz, Jardine, Karlberg, Kvaalen, Lees, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nelstead, Page (Granite), Picard, Powers, Raundal, Reeder, Regan, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wright. Total 52.

Noes: Bardanouve, Barrett, Barnes, Broeder, Curry, Eskildsen, Fjare, Fladager, Haines (Prairie), Haines (Missoula), Hawks, Higham, Langston, Leuthold, Moudree, Nichols, Page (Missoula), Parker, Powell, Mr. Speaker. Total 20.

Paired: Sheehy, aye; Loman, no; Wayrynen, aye; Anderson, no; Jensen, aye; Kolar, no.

Absent and not voting: Angstman, Bashor, Casey, Howard, McGaffick, Reinecke. Total 6.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Kiff, Nees, Paulsen, Wold. Total 10.

House Bill No. 158 was passed by the following vote:

Ayes: Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nichols, Page (Granite), Page (Missoula), Parker, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 71.

Noes: Anderson, Elting, Fladager, Kvaalen, Nelstead, Raundal. Total 6.

Absent and not voting: Casey, McGaffick, Moudree, Picard, Wayrynen. Total 5.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wold. Total 12.

House Bill No. 243 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, Mernin, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Page (Missoula), Parker, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Stranisha, Tonner, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 75.

Noes: McOmber, Moudree. Total 2.

Absent and not voting: Casey, Picard, Raundal, Sheldon, Wayrynen. Total 5.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wold. Total 12.

House Bill No. 299 was passed by the following vote:

Ayes: Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Battin, Bentz, Broeder, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks,

Healy, Higham, Holtz, Howard, Jardine, Karlberg, Langston, Lees, Leuthold, Loughran, McGarvey, McNally, McOmber, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wright, Mr. Speaker. Total 67.

Noes: Anderson, Bashor, Elting, Eskildsen, Holding, Kolar, Kvaalen, Loman, Mernin, Moudree, Raundal, Woodring. Total 12.

Absent and not voting: Casey, McGaffick, Wayrynen. Total 3.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wold. Total 12.

House Bill No. 304 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Reeder/Regan, Reinecke, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 75.

Noes: Fladager, Nelstead, Raundal. Total 3.

Absent and not voting: Casey, Loughran, Sales, Wayrynen. Total 4.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wolf. Total 12.

House Bill No. 393 was passed by the following vote:

Ayes: Abel, Babcock, Bardanouve, Barrett, Barnard, Bentz, Broeder, Cerovski, Curry, Daniels, DeWolfe, Emmons, Fjare, Gilfeather, Gunderson, Haines (Prairie), Hanks, Healy, Holding, Higham, Holtz, Karlberg, Kvaalen, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Shelden, Strnisha, Walton, Wood, Woodring, Mr. Speaker. Total 53.

Noes: Anderson, Angstman, Barnes, Bashor, Battin, Elting, Eskildsen, Felt, Fladager, Gerard, Gleed, Haines (Missoula), Harball, Hawks, Howard, Jardine, Kolar, Langston, Loman, Raundal, Sales, Sheldon, Tonner, Wright. Total 24.

Absent and not voting: Casey, Devier, Clowes, Glancy, Wayrynen. Total 5.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wold. Total 12.

House Bill No. 440 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Cerovski, Clowes, Curry, Daniels, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Nelstead, Nichols, Page (Granite), Page (Missoula),

Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wright, Barrett, Mr. Speaker. Total 70.

Noes: Devier, Eskildsen, Jardine, Morrison, Moudree, Schwinden, Raundal. Total 7.

Absent and not voting: Casey, McGaffick, Parker, Picard, Wayrynen. Total 5.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wold. Total 12.

Substitute House Bill No. 72 was passed by the following vote:

Ayes: Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Broeder, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Langston, Lees, Leuthold, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 69.

Noes: Anderson, Babcock, Battin, Gerard, Kolar, Kvaalen, Loman, Nelstead, Powell, Reinecke. Total 10.

Absent and not voting: Casey, Loughran, Wayrynen. Total 3.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wold. Total 12.

House Bill No. 109 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Cerovski, Clowes, Curry, Daniels, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 74.

Noes: Elting, Glancy, Mernin, Nelstead, Raundal. Total 5.

Absent and not voting: Casey, Devier, Wayrynen. Total 3.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wold. Total 12.

House Bill No. 29 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Picard, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden,

Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 70.

Noes: Angstman, Elting, Fladager, Hanks, Kolar, Langston, Parker, Powell, Reeder. Total 9.

Absent and not voting: Casey, Karlberg, Wayrynen. Total 3.

Excused: Aasheim, Bradford, Cavan, Corcoran, Gill, Holecek, Jensen, Kiff, Nees, Paulsen, Sheehy, Wold. Total 12.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Hawks of Big Horn in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 164 be passed for the day.

That consideration of House Bill No. 209 be passed for the day.

That House Bill No. 216 do pass.

That House Bill No. 222 be amended in section 1 in line 3, page 1 of the printed bill, being line 19, page 1 of the original bill, by striking out the underlining under the word "penalties" and inserting after the word "relief" the following: "(Matter Deleted)"; and as so amended, do pass.

That House Bill No. 232 do pass.

That House Bill No. 305 do pass.

That House Bill No. 510 be amended in the title by adding after the last words thereof, the following: "Providing an effective date"; and as so amended, do pass.

That House Bill No. 129 do pass.

That Senate Substitute for Senate Bill No. 8 be concurred in.

HAWKS, Chairman.

Hawks moved that the Committee of the Whole report be adopted.

Substitute motion was made by Battin that House Bill No. 305 be segregated from the Committee of the Whole report. Motion carried.

Substitute motion was made by Daniels that House Bill No. 510 be segregated from the Committee of the Whole report. Motion carried.

Motion was made by Hawks that the Committee of the Whole report be adopted, as amended. Motion carried.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 32, 432, 433 and 434, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Tuesday, February 10, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

THIRTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 10, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Cavan, Curry, Gill, Gleed, Hawks, Holecek, Jensen, Mernin, Page (Granite), Paulsen, Reeder, Sheehy, Wayrynen and Woodring, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-sixth Legislative Day, find the same to be correct.

ESKILDTSEN, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 129, 222, 232 and 216 considered correctly engrossed.

PARKER, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 70, respectfully report as follows: That House Bill No. 70 be amended as follows:

In line 24 and line 25 of page 1 of the original bill being line 8 and line 9 of page 1 of the printed bill by striking the following: "within ten days after the arraignment or ten days prior to the calling of the calendar," and inserting in lieu thereof the following: "at least fifteen days prior to the trial of said cause";

And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 236, respectfully report as follows: That House Bill No. 236 be printed and placed on General Orders, without committee recommendation.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 242, respectfully report as follows: That House Bill No. 242 do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 35, respectfully report as follows: That House Bill No. 35 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 136, respectfully report as follows: That House Bill No. 136 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 268, respectfully report as follows: That House Bill No. 268 be amended as follows:

After the word "taxes" in line 12 of the original bill by adding "to the Estate of Thomas E. Luebben, which was,"

And as amended, do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 320, respectfully report as follows: That House Bill No. 320 be amended as follows:

In the title of the bill, line 9 of the original bill, strike "four per cent (4%)" and insert in lieu thereof "three and one-half per cent (3½%)" and further amend in line 30, page 1 of the original bill, by striking "four per cent (4%)" and insert in lieu thereof "three and one-half per cent (3½%)" and further amend in line 32, page 1 of the original bill, by striking "four per cent (4%)" and insert in lieu thereof "three and one-half per cent (3½%)";

And further amend on page 2, lines 11 and 12 of the original bill, by striking "four per cent (4%)" and inserting in lieu thereof "three and one-half per cent (3½%)";

And further amend on page 3, line 3 of the original bill, by striking "four per cent (4%)" and insert in lieu thereof "three and one-half per cent (3½%)";

And as amended, do pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 435, respectfully report as follows: That House Bill No. 435 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 448, respectfully report as follows: That House Bill No. 448 do pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 516, respectfully report as follows: That House Bill No. 516 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 517, respectfully report as follows: That House Bill No. 517 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. Substitute 78, 287, 328, 353, 395, 408 and 442, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

MESSAGES FROM THE SENATE

February 9, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion requested that the House return to the Senate, House Bill No. 102.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 9, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 75 by Morrison et al.

House Bill No. 179 by Leuthold, Regan.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 9, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 6 by Mernin.

House Bill No. 110 by McGarvey, Broeder (by request).

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Battin that House Bill No. 305 be taken from General Orders and rereferred to the Committee on Liquor Control. Motion carried.

Motion was made by Regan that House Bill No. 191, now on General Orders, be passed for the day. Motion carried.

Motion was made by Daniels that House Bill No. 510, now on General Orders, be rereferred to the Committee on Judiciary. Motion carried.

Motion was made by McOmber that Senate Bill No. 110 be taken from the Committee on Townships and Counties and referred to the Committee on Irrigation and Water Conservation. Motion carried.

Motion was made by Cerovski that House Bill No. 494 be taken from the Committee on Constitutional Amendments and Federal Relations and referred to the Committee on Education. Motion carried.

Motion was made by Cerovski that the House accede to the request of the Senate and return to that body House Bill No. 102. Motion carried.

Motion was made by Cerovski that the House request the Senate to return to the House, House Joint Memorial No. 10, for correction of history. Motion carried.

Motion was made by McGarvey that House Bill No. 391 be taken from the Committee on Judiciary and referred to the Committee on Highways and Highway Transportation. Motion carried.

THIRD READING OF SENATE BILLS

Senate Substitute for Senate Bill No. 8, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bentz, Broeder, Casey, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Glancy, Gunderson, Haines (Prairie), Harball, Holding, Higham, Holtz, Jardine, Karlberg, Kolar, Langston, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 63.

Noes: Bashor, Battin, Bradford, Eskildsen, Haines (Missoula), Healy, Howard, Kiff, Loughran, Morrison, Moudree, Regan, Shea. Total 13.

Absent and not voting: Gilfeather, Hanks, Kvaalen, Lees. Total 4.

Excused: Cavan, Curry, Gill, Glead, Hawks, Holecek, Jensen, Mernin, Page (Granite), Paulsen, Reeder, Sheehy, Wayrynen, Woodring. Total 14.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 222 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 77.

Noes: Moudree. Total 1.

Absent and not voting: Gilfeather, Lees. Total 2.

Excused: Cavan, Curry, Gill, Gleed, Hawks, Holecek, Jensen, Mernin, Page (Granite), Paulsen, Reeder, Sheehy, Wayrynen, Woodring. Total 14.

House Bill No. 129 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanoue, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kvaalen, Langston, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 74.

Noes: None.

Paired: Sheehy, aye; Loman, no; Jensen, aye; Kolar, no; Wayrynen, aye; Reinecke, no.

Absent and not voting: Gilfeather, Lees, Moudree. Total 3.

Excused: Cavan, Curry, Gill, Gleed, Hawks, Holecek, Mernin, Page (Granite), Paulsen, Reeder, Woodring. Total 11.

House Bill No. 216 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanoue, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 74.

Noes: Elting, Fladager, Sales. Total 3.

Absent and not voting: Barnard, Lees, Morrison. Total 3.

Excused: Cavan, Curry, Gill, Gleed, Hawks, Holecek, Jensen, Mernin, Page (Granite), Paulsen, Reeder, Sheehy, Wayrynen, Woodring. Total 14.

House Bill No. 232 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanoue, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 74.

Noes: Abel, Angstman, Haines (Missoula), Nees. Total 4.

Absent and not voting: Kvaalen, Lees. Total 2.

Excused: Cavan, Curry, Gill, Gleed, Hawks, Holecek, Jensen, Mernin,

Page (Granite), Paulsen, Reeder, Sheehy, Wayrynen, Woodring. Total 14.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 121, 202, 241, 409 and 443, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Parker of Pondera in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 164 be passed for the day.

That consideration of House Bill No. 215 be passed for the day.

That House Bill No. 32 do pass.

That House Bill No. 99 be amended in the title of the bill by adding after the word "service" and before the word "and" the following: "Providing for the reporting of such expenses to the head of the department, and for quarterly reporting to the state controller";

Be amended further in section 1 by adding at the end of said section the following paragraph: "Every person who has travelled outside of the state, upon return to the state shall file a written report with the head of the department authorizing such travel, itemizing cash expenditures and briefly stating the purpose of such travel. Each and every department head shall file a written report with the state controller quarterly stating the number of trips, names of the persons making such trips, the miles travelled, the time consumed, and the total expenses incurred by members of the department authorized to so travel. The controller shall keep records of this information which records shall be open a reasonable time to inspection by the public.";

And as so amended, do pass.

That House Bill No. 183 do pass.

That House Bill No. 188 be amended on page 5 of the printed bill (being page 6 of the original bill) by inserting at the end of section 13 the following: "No person subject to the provisions of this act shall retire on service-retirement allowance prior to reaching the age of fifty-five (55) years unless suffering from total disability as defined in section 14." and

As so amended, do pass.

That House Bill No. 209 be amended in the title by striking out in line 1 of the printed and original bill the words and figures "97, chapter 263, Laws of Montana, 1955" and inserting in lieu thereof the words "32-21-100, Revised Codes of Montana, 1947";

Be further amended in the title by striking out in line 20 of the printed bill, being line 22 of the original bill, the words and figures "148, chapter 263, laws of 1955" and inserting in lieu thereof the words "32-21-151, Revised Codes of Montana, 1947";

Be further amended in section 1 by striking out in line 1, page 2 of the printed bill (being line 14, page 2 of the original bill) the words and figures "97, chapter 263, Laws of Montana, 1955" and inserting in lieu thereof the words "32-21-100, Revised Codes of Montana, 1947";

Be amended further in section 1 by striking out in lines 6 and 7, page 2 of the printed bill, being line 20, page 2 of the original bill, the words and figures "96 to 99," and inserting in lieu thereof the words and figures "32-2199 to 32-21-102";

Be amended further in section 1 by striking out in line 34, page 3 of the printed bill (being lines 25 and 26, page 3 of the original bill) the words and figures "148, chapter 263, laws of 1955" and inserting in lieu thereof the words and figures "32-21-151, Revised Codes of Montana, 1947";

And as so amended, do pass.

That consideration of House Bill No. 231 be passed for the day.

That House Bill No. 432 do pass.

That House Bill No. 433 do pass.

That House Bill No. 434 do pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 22, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 10:45 o'clock a.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 32, 432, 433, 434 and 183 considered correctly engrossed.

PARKER, Chairman.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your select committee appointed to study the operation of the elective offices of the governor, secretary of state, treasurer, auditor, superintendent of public instruction, attorney general, under motion of the Minority Leader, January 14, 1959, respectfully report as follows:

* * * * *

CONCLUSIONS:

Although this committee was directed only to find and report on certain facts relative to the operation of the above offices, and not asked to draw conclusions regarding their efficiency or quality of service to the state, we believe some comment in this line is in order.

In those offices whose principle mission it is to provide certain specific

services to the people of the state, namely, the secretary of state, the treasurer, and the auditor, this committee believes those services are being rendered with dispatch and efficiency. The same is true in the offices of the governor, attorney general, and the superintendent of public instruction in those matters concerning this inquiry. However, since these particular offices also are policy making offices, in the executive branch of government, this committee does not presume to pass judgment on that phase of their operations, feeling that to be out of the scope of this particular study.

In the matter of inserts being sent from the office of the secretary of state, we recognize the need and advisability of many of the items distributed, both for their informative and educational content. We would recommend that such inserts be confined to matter directly pertaining to functions of the State of Montana, however, and that the mailing of privately printed folios and pamphlets be eliminated altogether. We suggest that either the Historical Library or the State Highway Department, through the advertising director, could prepare a brief, inexpensive brochure which would contain the essential facts about the State of Montana, its great seal, state song, and other necessary information, which is usually solicited in letters of inquiry about the state. This brochure could be available in the secretary of state's office, the governor's office, and the other offices which usually receive the bulk of such requests for information.

The readers of this report will find it obvious that no state elected official nor members of their staffs are doing excessive travel at state expense. Travel expenses naturally vary with the offices concerned, and with the varying duties in those offices. We have confidence that the elected officials in those offices studied are keeping travel expenditures down to a bare minimum.

Your committee considers the amount being spent for postage in the various offices not to be excessive. Here again, the great differences in postage costs only reflect the variance in duties in these several offices.

Although there is justification in part for the rather large telephone expenses in certain offices, this committee feels that such expense could be drastically curtailed in many instances, and that stricter rules be adopted to eliminate many of those long distance calls which could just as easily be handled through routine office mailings.

This committee could find no evidence of excessive printing costs, and considers that the amount spent in each office for this item, again merely reflects the volume and type of work being done in that office. Since all printing is handled through the state purchasers office, there is no chance that personal printing can be done at state expense.

The hours worked each day and each week by the elected officials and their employees varies somewhat, each office setting its own requirements in this regard. In all instances it appears that the first concern is to get the work done, and we find that after-hours work in each of the offices is not unusual. Of course, there is no extra pay for this after-hours work. There seems to be some dissension between employees of the elective offices and those of appointive offices regarding hours worked and hours the offices are open for business. We urge that legislation, now under consideration in both houses, be carefully studied so that a workable, fair, and standard practice might be adopted for all employees, in both the elective and the appointive offices.

In conclusion, your committee repeats that it confined its scope of inquiry only to those particular items mentioned in the motion activating the committee. Of necessity, our findings are of a factual nature, and do not delve into matters of policy or personalities. The value of this report, we believe, lies in the fact that we can conscientiously tell the House of

Representatives, and the people of Montana, that their elected officials are good stewards in the conduct of their offices within the scope of this inquiry, and that we have found it necessary to make only relatively minor suggestions.

BARRETT, Chairman,
MERNIN,
HARBALL,
LEUTHOLD,
FJARE,
McGAFFICK.

Motion was made by Barrett that the committee report be adopted and that the Conclusions only be printed at length in the Journal, and mimeographed for the use of the members. Motion carried. Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 174, respectfully report as follows: That House Bill No. 174 be amended as follows:

In line 17, page 1 of the original bill by striking "ten dollars (\$10.00)" and inserting in lieu thereof "eight dollars (\$8.00)" and further amend in line 18 by striking "six dollars (\$6.00)" and inserting in lieu thereof "four dollars (\$4.00)";

And as amended, do pass.

LANGSTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Conservation, having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189 do not pass.

McOMBER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 221, respectfully report as follows: That House Bill No. 221 be amended as follows:

By striking the period and quotes (.) on line 11 of the title of the original bill and inserting a semicolon (;) in lieu thereof and adding the following: "and containing a repealing clause.";

And as amended, do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 225, respectfully report as follows: That House Bill No. 225 do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Conservation, having had under consideration House Bill No. 252, respectfully report as follows: That House Bill No. 252 do not pass.

McOMBER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Conser-

vation, having had under consideration House Bill No. 253, respectfully report as follows: That House Bill No. 253 do not pass.

McOMBER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 254, respectfully report as follows: That House Bill No. 254 be amended as follows:

By inserting the word "appropriated" on line 4 of page 2 of the original bill between the words "with" and "funds" on said line and page.

And further amend section 2, line 5, page 2, of the original bill by inserting after the "and/" "which have been, or shall be, built and maintained with funds of";

Amend section 3 by inserting the word "appropriated" on line 18 of page 2 of the original bill between the words "with" and "funds" on said line and page;

Amend further section 3, line 17, page 2, of the original bill by inserting after the "and/" the following "which have been, or shall be, built and maintained with funds of";

Amend section 4 by inserting the word "appropriated" on line 2 of page 4 of the original bill between the words "with" and "funds" on said line and page;

And further amend section 4, line 2, page 4, by inserting after the "and/" the following "which have been, or shall be, built and maintained with funds of";

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 298, respectfully report as follows: That House Bill No. 298 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 360, respectfully report as follows: That House Bill No. 360 be amended by striking section 3 in its entirety, and as amended, do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 361, respectfully report as follows: That House Bill No. 361 be amended by striking section 3 in its entirety, and as amended, do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 362, respectfully report as follows: That House Bill No. 362 be amended by striking section 3 in its entirety, and as amended, do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having

had under consideration House Bill No. 363, respectfully report as follows: That House Bill No. 363 be amended by striking section 3 in its entirety, and as amended, do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 364, respectfully report as follows: That House Bill No. 364 be amended by striking section 3 in its entirety, and as amended, do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 365, respectfully report as follows: That House Bill No. 365 be amended by striking section 3 in its entirety, and as amended, do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 366, respectfully report as follows: That House Bill No. 366 be amended by striking section 3 in its entirety, and as amended, do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 367, respectfully report as follows: That House Bill No. 367 be amended by striking section 3 in its entirety, and as amended, do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 368, respectfully report as follows: That House Bill No. 368 be amended by striking section 3 in its entirety, and as amended, do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 369, respectfully report as follows: That House Bill No. 369 be amended by striking section 3 in its entirety, and as amended, do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Conservation, having had under consideration House Bill No. 381, respectfully report as follows: That House Bill No. 381 be amended as follows:

In the title in line 12 of the original bill by changing the comma to semicolon after the word "taxes" and deleting the following: "and section 16-4528 relating to the levy and collection of water district taxes";

Further amended in the title in line 15 after the word "clause" and before the period by deleting "and an effective date";

In section 3, line 1, page 4 of the original bill after the word "or" and before the word "said" by deleting "where the water district is located more than one (1) mile from the boundary of an incorporated city or town";

In section 4 by deleting section 4 in its entirety; section 5 to be re-

numbered section 4, section 6 to be renumbered section 5 and by deleting section 7 in its entirety;

Further amended in section 3, line 12, page 4 of the original bill by changing the period to a semicolon and adding the following "or, said assessment may, at the option of the board of county commissioners, be based upon the taxable valuation, as stated in the last completed county assessment roll, of the lots or parcels of land, including improvements thereon, within said district, in which case, each lot or parcel of land to be assessed shall be assessed with that part of the money required which its taxable valuation, including improvements thereon, bears to the total taxable valuation of all of the lands, including improvements thereon, to be assessed.";

And as amended, do pass.

McOMBER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 489, respectfully report as follows: That House Bill No. 489 do pass.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Memorial No. 2, respectfully report as follows: That House Memorial No. 2 do not pass.

LANGSTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration Senate Bill No. 141, respectfully report as follows: That Senate Bill No. 141 be concurred in.

HOLTZ, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 10, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that in compliance with your request we are returning the following House Joint Memorial to the House for correction of the history.

House Joint Memorial No. 10 by Abel et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate,

February 9, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 139 by Committee on Agriculture.

Senate Bill No. 128 by Keister et al.

Senate Bill No. 76 by Cotton, Hagenston.

Senate Bill No. 143 by Committee on Agriculture.

Senate Bill No. 167 by Bovey.

Senate Bill No. 104 by Hibbs, Mahoney (Sanders).

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Gunderson that House Bill No. 334 be taken from the Committee on Ways and Means and referred to the Committee on Appropriations. Motion carried.

Motion was made by Glancy that House Bill No. 264 be taken from General Orders and rereferred to the Committee on Judiciary. Motion carried.

Motion was made by Cerovski that House Joint Memorial No. 10 with the corrected history thereon, be returned to the Senate for concurrence. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 139, introduced by Committee on Agriculture, Rice (Chairman): A bill for an act entitled: "An act to amend section 90-129, Revised Codes of Montana, 1947, as amended by chapter 89, laws of 1957, relating to the inspection of weighing and measuring devices by providing that the removal of any state seal or rejection notice on any measuring device shall be prima facie evidence of the guilt of the defendant; containing a repealing clause." Referred to the Committee on Agriculture, Dairying and Horticulture.

Senate Bill No. 128, introduced by Keister, Rice, Wilson, Cotton: A bill for an act entitled: "An act to provide for the coloration of wheat, oats, rye or barley when being treated with an injurious or toxic substance or chemical, providing a penalty; and repealing all acts or parts of acts in conflict herewith." Referred to the Committee on Agriculture, Dairying and Horticulture.

Senate Bill No. 76, introduced by Cotton, Hagenston: A bill for an act entitled: "An act to amend section 16-1904 of the Revised Codes of Montana, 1947, relating to hearings on county budgets, adoption thereof, and fixing tax levies, providing for items authorized and appropriated for, in such budgets shall not exceed ten percentum (10%) of the amount appropriated and authorized for such items for the fiscal year immediately preceding; providing for the filing of copies of the final budget and tax levies therefor with the state examiner by a specified time, and providing for a penalty in case of failure to file." Referred to the Committee on Townships and Countis.

Senate Bill No. 143, introduced by Committee on Agriculture, Rice (Chairman): A bill for an act entitled: "An act to amend section 3-202, Revised Codes of Montana, 1947, as amended by chapter 85, laws of 1957, relating to fees to be paid to state sealer of weights and measures, by providing for mechanically printed weight tickets for livestock markets and sales yards; containing a repealing clause." Referred to the Committee on Agriculture, Dairying and Horticulture.

Senate Bill No. 167, introduced by Bovey: A bill for an act entitled:

"An act to amend section 53-620, Revised Codes of Montana, 1947, relating to the blank forms furnished county treasurers; providing that the State Highway Commission shall furnish county treasurers all forms necessary to carry out the provisions of the act; providing that the county treasurer shall issue only receipts furnished or authorized by the Highway Commission; providing that the gross vehicle weight division of the State Highway Commission shall issue the gross vehicle weight plates to the owner of the named vehicle; providing that it shall be the duty of the owner or operator to carry the gross vehicle fees receipt with him at all times and to exhibit the receipt on demand; providing a penalty; providing for constitutionality; repealing all acts or parts of acts in conflict herewith; providing effective date of act." Referred to the Committee on Highways and Highway Transportation.

Senate Bill No. 104, introduced by Hibbs, Mahoney (Sanders): A bill for an act entitled: "An act to amend sections 67-406 and 67-407, Revised Codes of Montana, 1947, relating to the period during which the absolute power of alienation may be suspended and to establish the American common law rule against perpetuities, and to repeal all acts or parts of acts in conflict herewith, including specifically the following sections of the Revised Codes of Montana, 1947: Sections 67-422, 67-513, 67-515, 67-516, 67-517, 67-518." Referred to the Committee on Judiciary.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 32 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loughran, McGarvey, McNally, McOmber, Nelstead, Nichols, Page (Missoula), Parker, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 68.

Noes: Bradford, Elting, Mernin, Morrison, Regan. Total 5.

Absent and not voting: Barnard, Curry, Jardine, Langston, Loman, McGaffick, Moudree, Nees, Picard, Shelden, Strnisha. Total 11.

Excused: Cavan, Gill, Gleed, Holecek, Jensen, Page (Granite), Paulsen, Sheehy, Wayrynen, Woodring. Total 10.

House Bill No. 432 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheldon, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 75.

Noes: None.

Absent and not voting: Barnard, Gilfeather, Jardine, Loman, Moudree, Sales, Shea, Shelden, Strnisha. Total 9.

Excused: Cavan, Gill, Gleed, Holecek, Jensen, Page (Granite), Paulsen, Sheehy, Wayrynen, Woodring. Total 10.

House Bill No. 433 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheldon, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Barnard, Gilfeather, Jardine, Moudree, Shea, Shelden, Strnisha. Total 7.

Excused: Cavan, Gill, Gleed, Holecek, Jensen, Page (Granite), Paulsen, Sheehy, Wayrynen, Woodring. Total 10.

House Bill No. 434 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheldon, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Barnard, Fjare, Gilfeather, Jardine, Shea, Shelden, Strnisha. Total 7.

Excused: Cavan, Gill, Gleed, Holecek, Jensen, Page (Granite), Paulsen, Sheehy, Wayrynen, Woodring. Total 10.

House Bill No. 183 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, Emmons, Felt, Fjare, Gerard, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Hawks, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Sales, Sheldon, Walton, Wood, Wold, Wright, Mr. Speaker. Total 60.

Noes: Angstman, DeWolfe, Eskildsen, Fladager, Harball, Kolar, Loughran, McNally, McOmber, Nees, Rindy, Schwinden. Total 12.

Absent and not voting: Abel, Barrett, Barnard, Elting, Gilfeather, Jardine, McGaffick, Picard, Shea, Shelden, Strnisha, Tonner. Total 12.

Excused: Cavan, Gill, Gleed, Holecek, Jensen, Page (Granite), Paulsen, Sheehy, Wayrynen, Woodring. Total 10.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Parker of Pondera in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 97 be concurred in.

That House Bill No. 70 be amended in subsection 1 of section 1, in line 7 of the printed bill, (being line 22 of the original bill) after the word "guardian" and before the word "and" by inserting the following: ", and shall state the facts and the reasons for the belief that bias and prejudice exists"; and as so amended, do pass.

That Senate Amendments to House Bill No. 75 be concurred in.

That Senate Amendments to House Bill No. 179 be concurred in.

PARKER, Chairman.

Motion was made by Parker for adoption of the Committee of the Whole report.

Substitute motion was made by Anderson that House Bill No. 70 be segregated from the report. Motion carried.

Cerovski moved that the Committee of the Whole report be adopted, as amended. Motion carried.

THIRD READING OF SENATE BILLS

Senate Bill No. 97, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gerard, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reinecke, Rindy, Sales, Sheldon, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 73.

Noes: None.

Absent and not voting: Bradford, Felt, Gilfeather, Jardine, Lees, Reeder, Regan, Schwinden, Shea, Shelden, Strnisha. Total 11.

Excused: Cavan, Gill, Gleed, Holecek, Jensen, Page (Granite), Paulsen, Sheehy, Wayrynen, Woodring. Total 10.

THIRD READING OF HOUSE BILLS

The following amendments to House Bills were concurred in by the following vote:

Senate amendments to House Bill No. 75:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve,

Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emons, Eskildsen, Fjare, Fladager, Gerard, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Sheldon, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Felt, Gilfeather, Lees, Reeder, Schwinden, Shea, Shelden, Strnisha. Total 8.

Excused: Cavan, Gill, Gleed, Holecek, Jensen, Page (Granite), Paulsen, Sheehy, Wayrynen, Woodring. Total 10.

Senate amendments to House Bill No. 179:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emons, Eskildsen, Fjare, Fladager, Gerard, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Sheldon, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 75.

Noes: None.

Absent and not voting: Felt, Gilfeather, Jardine, Lees, McGarvey, Reeder, Schwinden, Shea, Sheldon, Strnisha. Total 10.

Excused: Cavan, Gill, Holecek, Jensen, Page (Granite), Paulsen, Sheehy, Wayrynen, Woodring. Total 9.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. Sub. 201 and 263, and 77, 197, 273, 286 and 521, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Wednesday, February 11, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

THIRTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 11, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen and Woodring, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-seventh Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

COMMUNICATIONS AND PETITIONS

February 9, 1959.

Allen Donohue, Chief Clerk,
House of Representatives,
Helena, Montana.

Dear Mr. Donohue:

Please be informed that I have sent, as instructed in House Joint Resolution No. 1, certified copies of such Resolution.

You will find copies of my letters of transmittal attached hereto.

Very truly yours,
FRANK MURRAY,
Secretary of State.

(Copy of House Joint Resolution No. 1 forwarded to Hon. Dwight D. Eisenhower, President of the United States, Hon. Carl Hayden, President Pro Tem, United States Senate; Hon. Sam Rayburn, Speaker of the House of Representatives; Hon. James E. Murray, United States Senator, and Chairman of the Interior and Insular Affairs' Committee; Senator Mike Mansfield, Congressman Lee Metcalf, Congressman LeRoy Anderson, members of the Hawaiian Congressional Delegation, and Hon. William F. Quinn, Governor of the Territory of Hawaii).

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Conservation and Development, having had under consideration Senate Substitute for House Bill No. 36, respectfully report as follows: That Senate Substitute for House Bill No. 36 be concurred in.

BARNES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 171, respectfully report as follows: That House Bill No. 171 do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 212, respectfully report as follows: That House Bill No. 212 do not pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 311, respectfully report as follows: That House Bill No. 311 do not pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 449, respectfully report as follows: That House Bill No. 449 do not pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 499, respectfully report as follows: That House Bill No. 499 do not pass.

NEES, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 3, respectfully report as follows: That House Joint Resolution No. 3 do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration Senate Bill No. 92, respectfully report as follows: That Senate Bill No. 92 be not concurred in.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration Senate Bill No. 157, respectfully report as follows: That Senate Bill No. 157 be concurred in.

ABEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Joint Memorial No. 2, respectfully report as follows: That Senate Joint Memorial No. 2 be concurred in.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 156, 251, 407, 511, 518 and 522, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, the Majority of your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 230, respectfully report as follows: That House Bill No. 230 do not pass.

LOUGHRAN, Chairman,
McGARVEY,
WOOD,
HELDING,
BARNARD.

Motion was made by Loughran for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 230, respectfully report as follows: That House Bill No. 230 do pass.

FELT,
HAINES (Missoula),
BROEDER,
KVAALLEN.

Substitute motion was made by Anderson for adoption of the Minority Committee report. Request was made by Anderson for a roll call vote and that the vote be recorded in the Journal. There being twelve seconds there was a roll call vote, and the substitute motion lost by the following vote:

Ayes: Anderson, Angstman, Babcock, Bentz, Broeder, Corcoran, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Higham, Howard, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Morrison, Nelstead, Nichols, Page (Missoula), Powell, Regan, Reinecke, Sales, Walton, Wright. Total 32.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Battin, Bradford, Casey, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emons, Eskildsen, Gilfeather, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holtz, Jardine, Karlberg, Langston, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wood, Wold, Mr. Speaker. Total 50.

Absent and not voting: Bashor. Total 1.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Woodring. Total 11.

Motion by Loughran for adoption of the Majority Committee report carried. Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 99, 188 and 209.

PARKER, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 133 and 220, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

MESSAGES FROM THE GOVERNOR AND SENATE

February 10, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

H. B. No. 22—Introduced by Gunderson, Healy, Anderson, Holding, Reeder and Wold.

Very truly yours,
J. HUGO ARONSON, Governor,

February 10, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 112 by Committee on Education.

House Joint Memorial No. 3 by Sheldon (Lincoln) et al.

House Joint Memorial No. 9 by Haines (Missoula) et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 10, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 171 by Mahoney (Garfield).

Senate Bill No. 172 by Mahoney (Garfield).

Senate Bill No. 200 by Hagenston et al.

Senate Bill No. 103 by Hibbs and Mahoney (Sanders).

Senate Bill No. 194 by Anderson (Lincoln), and Cumming.

Senate Bill No. 173 by Mahoney (Garfield).

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Strnisha that House Bill No. 286 now on General Orders, be passed for the day. Motion carried.

Motion was made by Cerovski that House Bill No. 191 now on General Orders, be passed for the day. Motion carried.

Motion was made by Wright that House Bill No. 164 now on General Orders, be passed for the day. Motion carried.

Motion was made by Gerard that House Bill No. 215 now on General Orders, be passed for the day. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 171, introduced by Mahoney (Garfield): A bill for an act entitled: "An act providing for a section to be known as section 3-2011 and authorizing the Commissioner of Agriculture to issue stop sale, use or removal orders on commercial feed; providing a penalty for violation of any order and containing a repealing clause." Referred to Committee on Agriculture, Dairying and Horticulture.

Senate Bill No. 172, introduced by Mahoney (Garfield): A bill for an act entitled: "An act to repeal sections 3-1801 through and including 3-1807, Revised Codes of Montana, 1947, relating to the licensing of hay dealers; providing an effective date of this act." Referred to Committee on Agriculture, Dairying and Horticulture.

Senate Bill No. 200, introduced by Hagenston, Cotton, Hofland, McGowan: A bill for an act entitled: "An act requiring the labeling of all

containers of paints, varnishes, roof coatings and other protective and decorative materials offered for sale, sold, or shipped in interstate transactions within the state; providing for the inspection and analysis of paints, varnishes, roof coatings and other protective and decorative materials by a chief chemist designated by the Department of Agriculture; providing for penalties for violation of this act." Referred to Committee on Agriculture, Dairying and Horticulture.

Senate Bill No. 103, introduced by Hibbs, Mahoney (Sanders): A bill for an act entitled: "An act to provide that no statutory or common law rule or provision relating to restraints against alienation, suspension of the power of alienation, accumulations of income, perpetuities or remoteness of vesting shall apply to trusts which are part of a pension, retirement, insurance, savings, stock bonus profit-sharing or similar plan, and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 194, introduced by Anderson (Lincoln), Cumming: A bill for an act entitled: "An act to amend section 69-1807, Revised Codes of Montana, 1947, relating to fire extinguisher requirements for buildings within the scope of chapter 18 of title 69, Revised Codes of Montana, 1947, to prohibit use of fire extinguishers containing toxic or poisonous vaporizing liquids." Referred to Committee on Public Health, Morals and Safety.

Senate Bill No. 173, introduced by Mahoney (Garfield): A bill for an act entitled: "An act to amend section 3-228, Revised Codes of Montana, 1947, relating to the licensing of public grain warehousemen by requiring public warehousemen to carry insurance approved by the Commissioner of Agriculture to protect the holders of warehouse receipts from loss; containing a repealing clause." Referred to Committee on Agriculture, Dairying and Horticulture.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 99 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Elting, Eskildsen, Felt, Fjare, Fladager, Gerard, Glancy, Gunderson, Haines (Prairie), Hanks, Harball, Holding, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Sales, Shelden, Sheldon, Strnisha, Tonner, Wood, Wold, Mr. Speaker. Total 61.

Noes: Barrett, DeWolfe, Gleed, Jardine, Leuthold, Moudree, Schwinden, Wright. Total 8.

Absent and not voting: Daniels, Devier, Emmons, Gilfeather, Haines (Missoula), Healy, Higham, Holtz, Lees, McGarvey, Nichols, Reinecke, Rindy, Walton. Total 14.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Woodring. Total 11.

House Bill No. 188 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Cerovski, Corcoran, Curry, Devier, DeWolfe, Elting, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold,

Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Powell, Powers, Reeder, Regan, Sales, Shelden, Sheldon, Strnisha, Tonner, Wood, Wold, Mr. Speaker. Total 62.

Noes: Barrett, Bradford, Broeder, Clowes, Fladager, Howard, Jardine, Kiff, Nees, Schwinden, Wright, Raundal. Total 12.

Absent and not voting: Casey, Daniels, Emmons, Holtz, Loughran, Picard, Reinecke, Rindy, Walton. Total 9.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Woodring. Total 11.

House Bill No. 209 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrettt, Barnard, Barnes, Battin, Bentz, Bradford, Broeder, Cerovski, Corcoran, Curry, Devier, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Howard, Jardine, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Reeder, Regan, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wood, Wold, Wright, Clowes, Mr. Speaker. Total 68.

Noes: Bashor, DeWolfe, Elting, Kvaalen, Loman, Nelstead, Raundal. Total 7.

Absent and not voting: Casey, Daniels, Holtz, McGaffick, Moudree, Reinecke, Rindy, Walton. Total 8.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Woodring. Total 11.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Felt of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 70 do pass.

That House Bill No. 77 be amended in the title by adding after the last words thereof, the following: "and containing a repealing clause."; and

Be further amended by striking section 6 in its entirety;

And as amended, do pass.

That Substitute House Bill No. 78 do pass.

That House Bill No. 121 do pass.

That House Bill No. 197 do pass.

That Substitute House Bill No. 201 do pass.

That House Bill No. 202 do pass.

That consideration of House Bill No. 231 be passed for the day.

That consideration of House Bill No. 241 be passed for the day.

That Substitute House Bill No. 263 do pass.

That House Bill No. 273 do pass.

That House Bill No. 287 do pass.

FELT, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Barrett that House Bill No. 450 be taken from the Committee on Social Security and referred to the Committee on Education. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 70, 121, 197, 202, 273, 287, Sub. 78 and 263, and Sub. 201 considered correctly engrossed.

AASHEIM, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 228, respectfully report as follows: That House Bill No. 228 do not pass, but that

Substitute House Bill No. 228, introduced by the Committee on Highways and Highway Transportation: A bill for an act entitled: "An act imposing taxes in consideration of the use of the public highways of Montana by motor vehicles; defining the terms person, motor vehicle, commission, farm vehicle and logging vehicle; making it unlawful to use the public highways of the state without first securing a use permit; providing rate schedules; providing for special mobile equipment; providing the method for obtaining a use permit; providing the dates upon which the taxes imposed are due, and the place of payment; granting to the State Highway Commission power to issue temporary use permits; providing the method of making returns; fixing liability for taxes upon the carrier and owner; providing certain exceptions in the case of special kinds of trailing units, for persons entitled to reciprocity, for operators of certain interstate fleets; providing for trip permit; giving the State Highway Commission power to determine the tax due; providing for hearings in the commission; providing an exclusive method for the judicial review of decisions of the commission; providing procedures for the collection of taxes due and vesting power in the commission to issue certificates which when filed have the status of judgments of the district courts; providing for liens on motor vehicles for unpaid taxes and providing the method of foreclosure of such liens and the priority thereof; providing for the revocation of registrations of motor vehicles for non-payment of taxes; providing the method of serving notices and process and for the appointment of the secretary of state as an agent upon whom notice or process may be served; providing for interest and penalties, both civil and criminal, for violations of the act and rules enacted pursuant thereto; giving justice and district courts concurrent jurisdiction of misdemeanors committed under the act; providing that violations of the act are in part committed in Helena; providing for

the prosecution of violations by the attorney general and the county attorneys; providing for refunds; giving the State Highway Commission powers to administer and enforce the act, require security for the payment of taxes due or to be due, to make rules for its own procedures, to designate ports of entry, to appoint deputies, to generally make rules for the enforcement and administration of the act; providing for the disposition of revenues received under the act; providing for severability; regulating the transfer of use permits; limiting municipal taxation of motor vehicles; providing a short title; repealing certain acts and parts of acts and saving the penalties under repealed acts; providing for an effective date."

Do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 187, respectfully report as follows: That House Bill No. 187 do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 126, respectfully report as follows: That House Bill No. 126 do not pass, but that

Substitute House Bill No. 126, introduced by the Committee on State Boards and Institutions: A bill for an act entitled: "An act to create a state bureau of criminal identification, and statistics under the department of the attorney general; providing the general powers and duties; providing for laboratory and clinical facilities; providing for transmission of records to the bureau; providing for appointment and discharge of personnel; providing for a records section at the state penitentiary; providing for money for the operation of the bureau; amending sections 25-226, and 25-201 Revised Codes of Montana, 1947, as amended; providing for appropriation of fees collected; repealing certain acts in conflict therewith and providing an effective date."

Do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 262, respectfully report as follows: That House Bill No. 262 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 314, respectfully report as follows: That House Bill No. 314 be amended by striking out section 4 in its entirety; and as amended, do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 355, respectfully report as follows: That House Bill No. 355 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had

under consideration House Bill No. 412, respectfully report as follows:
That House Bill No. 412 do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 485, respectfully report as follows:
That House Bill No. 485 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Board and Institutions, having had under consideration House Bill No. 385, respectfully report as follows: That House Bill No. 385 do not pass, but that

Substitute House Bill No. 385, introduced by the Committee on State Boards and Institutions: A bill for an act entitled: "An act amending section 69-1512 of the Revised Codes of Montana of 1947 relating to fees for inspection of boilers and for examination of applicants for engineer's license; and amending section 69-1516 of the Revised Codes of Montana of 1947 relating to renewal of certificates of license to engineers; and repealing all acts and parts of acts in conflict herewith and providing an effective date."

Do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 6, 110, 179, 112 and 75.

JARDINE, Chairman.

I have examined House Bill No. 6 introduced by me and find the same to be correct.

MERNIN,

I have examined House Bill No. 110 introduced by me and find the same to be correct.

McGARVEY.

I have examined House Bill No. 179 introduced by me and find the same to be correct.

LEUTHOLD.

I have examined House Bill No. 112 introduced by the Committee Education and find the same to be correct.

BARRETT.

I have examined House Bill No. 75 introduced by me and find the same to be correct.

MORRISON,

The Speaker signed the following House Bills in open session, the titles having first been read: Nos. 6, 110, 179, 112 and 75.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 43, 136, 268, 277, 300, 359, 448 and 517, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on State Boards and Institutions,

having had under consideration House Bill No. 456, respectfully report as follows: That House Bill No. 456 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Oil and Gas, having had under consideration House Bill No. 472, respectfully report as follows: That House Bill No. 472 do pass.

DEVIER, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Oil and Gas, having had under consideration House Bill No. 471, respectfully report as follows: That House Bill No. 471 do not pass, but that

Substitute House Bill No. 471, introduced by the Committee on Oil and Gas: A bill for an act entitled: "An act to amend section 81-1715, Revised Codes of Montana, 1947, relating to the advertising for bids on re-leasing of producing oil or gas land, to provide for notification to the holder of such expiring lease and to provide that the lessee shall have the privilege of re-leasing the same at the highest responsible bid offered therefor and providing further for the amount of royalty and rentals to be paid under such lease and permitting the land board to require bidding on a royalty basis; repealing section 81-1708, Revised Codes of Montana, 1947, which provides for exchange of existing leases and repealing all acts and parts of acts in conflict herewith."

Do pass.

DEVIER, Chairman,
WOODRING,
GLANCY,
DANIELS,
BRADFORD,
MERNIN,
RINDY,
TONNER.

Motion was made by Devier for adoption of the Majority Committee report.

Anderson rose on a point of order concerning the introduction of Substitute Bill No. 471 by a portion of the Committee on Oil and Gas, and referred the House to House Rule No. 61. Anderson requested the question be referred to the Committee on Rules, Joint Rules and Order of Business. The Speaker referred the matter to that committee.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried. House recessed.

House resumed.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 44, respectfully report as follows: That House Bill No. 44 be amended as follows:

By amending section 1, page 1, line 4, of the printed bill, by striking the word "sergeants," being line 20, page 1, of the original bill;

By amending section 3, page 1, in line 2, of the printed bill, being lines 30 and 31, page 1, of the original bill, by striking the words "the persons originally selected from";

By amending section 4, page 2, line 2, of the printed bill, being line 7, page 2, of the original bill, by striking the word "sergeant,";

By amending section 4, page 2, line 4, of the printed bill, being line 10, page 2, of the original bill, by striking the word "sergeants,";

By amending section 5, page 2, line 4, of the printed bill, being lines 19 and 20, page 2, of the original bill, by striking the words "three hundred seventy-five dollars (\$375.00)"; and inserting in lieu thereof the words "three hundred and fifty dollars (\$350.00)";

By amending section 5, page 2, line 6, of the printed bill, being line 21, page 2, of the original bill, by striking the words "(c) Sergeants—four hundred dollars (\$400.00) per month";

And further amending section 5, page 2, line 7, of the printed bill, being line 22, page 2, of the original bill, by changing the letter "(d)" to "(c)";

By amending section 5, page 2, line 8, of the printed bill, being line 24, page 2, of the original bill, by striking the "(e)" and the words and figures "four hundred and fifty dollars (\$450.00)" and inserting in lieu thereof the "(d)" and the words and figures "five hundred dollars (\$500.00)";

By amending section 6, page 2, line 2, of the printed bill, being page 3, line 8 of the original bill, by striking the word "sergeant";

By amending section 6, page 3, line 26, of the printed bill, after the word "days." by inserting the following words, "If the warden finds that such charges are false, he shall so notify the accused employee in writing.", being on page 4, line 5 of the original bill;

By amending section 6, page 3, line 36 of the printed bill, after the word "testimony," by inserting the words "and summon witnesses," being on page 4, line 19 of the original bill;

And as amended, do pass.

ESKILDTSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 476, respectfully report as follows: That House Bill No. 476 do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 477, respectfully report as follows: That House Bill No. 477 do not pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Rules, Joint Rules and Order of Business, having had under consideration a point of order, the introduction of Substitute House Bill No. 471, respectfully report as follows: We, your Majority Committee on Rules do hereby rule that Substitute House Bill No. 471 does not come within Rule 61, but that it does come within Rule 12 which allows a substitute bill to be introduced as an amendment to the original bill and may be introduced by the majority of the committee so introducing said substitute bill.

CEROVSKI,
BARRETT,
MacDONALD.

Motion was made by Cerovski for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Rules, Joint

Rules and Order of Business, having had under consideration a point of order on Substitute House Bill No. 471, respectfully report as follows: We, your Minority of the Rules Committee, report that Substitute House Bill No. 471, bearing the language on the face thereof "Introduced by the Committee on Oil and Gas," be not accepted by the House, and that the introduction of such bill and acceptance of such bill by the House is in contravention of Rule 61 of this Legislative Assembly and that the point of order by the gentleman from Yellowstone be sustained.

GERARD,
ANDERSON.

Substitute motion was made by Gerard for adoption of the Minority Committee report. Gerard asked for a roll call vote, with the results thereof spread on the Journal in full, and requested the requisite number of seconds. A sufficient number of seconds rising, a roll call vote was taken as follows:

Ayes: Anderson, Babcock, Bashor, Battin, Bentz, Broeder, Corcoran, DeWolfe, Elting, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Higham, Howard, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Morrison, Nelstead, Nichols, Page (Missoula), Powell, Reinecke, Sales, Walton, Wright. Total 32.

Noes: Aasheim, Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Clowes, Curry, Daniels, Devier, Emmons, Eskildsen, Felt, Gilfeather, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holtz, Jardine, Karlberg, Langston, Loughran, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Parker, Picard, Powers, Raundal, Regan, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wood, Mr. Speaker. Total 48.

Absent and not voting: McGaffick, Reeder, Woodring. Total 3.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Wold. Total 11.

Substitute motion by Gerard failed to carry.

Motion by Cerovski for adoption of the Majority report of the Rules Committee carried. Report adopted.

Mr. Speaker: We, the Majority of your Committee on Oil and Gas, having had under consideration House Bill No. 471, respectfully report as follows: That House Bill No. 471 do not pass, but that

Substitute House Bill No. 471, introduced by the Committee on Oil and Gas: A bill for an act entitled: "An act to amend section 81-1715, Revised Codes of Montana, 1947, relating to the advertising for bids on re-leasing of producing oil or gas land, to provide for notification to the holder of such expiring lease and to provide that the lessee shall have the privilege of re-leasing the same at the highest responsible bid offered therefor and providing further for the amount of royalty and rentals to be paid under such lease and permitting the land board to require bidding on a royalty basis; repealing section 81-1708, Revised Codes of Montana, 1947, which provides for exchange of existing leases and repealing all acts and parts of acts in conflict herewith."

Do pass.

DEVIER, Chairman,
WOODRING,
GLANCY,
DANIELS,
BRADFORD,
MERNIN,
RINDY,
TONNER.

Motion was made by Devier for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Oil and Gas, having had under consideration House Bill No. 471, respectfully report as follows: That House Bill No. 471 do not pass, and that

Substitute House Bill No. 471, introduced by the Committee on Oil and Gas, do not pass.

BASHOR,
DeWOLFE,
ANDERSON,
SALES,
REINECKE,
FLADAGER,
WALTON.

Motion was made by Anderson for adoption of the Minority Committee report.

Substitute motion for all motions pending was made by Gilfeather that the House recommend that Substitute House Bill No. 471 not pass, but that the original House Bill No. 471 do pass.

Jardine moved the previous question on all motions before the House. Motion carried.

Substitute motion for all motions pending by Gilfeather carried.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 242, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on Townships and Counties having had under consideration House Bill No. 227, respectfully report as follows: That House Bill No. 227 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Oil and Gas, having had under consideration House Bill No. 30, respectfully report as follows: That House Bill No. 30 do not pass.

DEVIER, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 11, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

Nearly all Montanans are in favor of good roads. The record of the Montana Highway Commission and the State Highway Department, in this respect, is outstanding. During this past year an all-time construction record was set. Montanans got more miles of highways, and they are of higher standards. Each mile of good highways being constructed in Montana is an investment for the use and enjoyment of all Montanans. It is a means of creation of more wealth. In addition, these expenditures of funds for highway building during this coming year will be a stimulant to the economy of the state.

This 36th Legislative Assembly has an opportunity to put its stamp of approval on a continued, high level highway program. You can leave no doubt as to where you stand with respect to more and better highways in Montana to transport Montanans, visitors to our Treasure State and many goods necessary to our everyday living.

I refer specifically to House Bill 301, which would restore the one-cent gas tax at the state level immediately. You will recall that this tax expired in January of 1958 due to the failure of the 35th Legislative Assembly to pass necessary legislation to continue it. The result of this unfortunate omission was the loss of \$9,270,000 annually to Montana's highway program.

Unless this loss is to be perpetuated and Montana's highway program seriously impaired during the coming years, this one-cent gas tax must be approved by you. The alternative is to allow Montana to fall hopelessly behind in matching federal funds. We are already 3½ million dollars behind. This amount to 14 million dollars, in construction, when matched. However we have not yet lost a cent of federal matching funds.

A second failure to pass this major legislation will almost certainly mean loss of federal funds. The total loss, according to estimates of the State Highway Department, would be \$9,358,000 every year.

Broken down, this amounts to \$1,628,000 in secondary funds; \$2,407,000 in primary funds, \$151,000 in urban funds; and \$5,172,000 in interstate funds. For your further information I have also included a breakdown by counties, showing the total loss in secondary funds to each of the counties you represent in this Legislative Assembly. You can and should translate this loss into highways and bridges that will not be built in your own home counties if H. B. 301 fails.

You should also note the fact that the Congress of the United States is currently considering a proposal that the federal gasoline tax be increased 1½ cents. I have publicly opposed this, and I have joined together with other Governors to fight such a move. It is my believe that the gasoline tax should be reserved for state highway construction purposes. Approval of H. B. 301 will support this position.

Finally, I should point out that my first order of business when I became Governor of Montana in 1953 was to take highway building out of politics. I believe I have been successful in this. I hope you will join with me in keeping essential highway building legislation equally out of politics. This one-cent gas tax should not be used for political trading. It should be faced squarely on the basis of whether you sincerely believe in more and better highways for the State of Montana.

The breakdown by counties is:

Beaverhead	\$36,925	Garfield	28,296
Big Horn	40,462	Glacier	29,531
Blaine	43,341	Golden Valley	11,606
Broadwater	15,202	Granite	14,461
Carbon	30,602	Hill	45,100
Carter	23,113	Jefferson	15,827
Cascade	46,852	Judith Basin	24,272
Chouteau	52,700	Lake	30,369
Custer	26,282	Lewis and Clark	29,179
Daniels	21,178	Liberty	21,999
Dawson	27,092	Lincoln	36,091
Deer Lodge	13,267	Madison	28,037
Fallon	18,861	McCone	\$29,485
Fergus	47,986	Meagher	18,287
Flathead	57,323	Mineral	10,506
Gallatin	38,321	Missoula	30,927

Musselshell	20,793	Sanders	28,367
Park	22,397	Sheridan	29,477
Petroleum	11,833	Silver Bow	13,418
Phillips	41,287	Stillwater	23,915
Pondera	29,872	Sweet Grass	18,296
Powder River	24,239	Teton	34,483
Powell	24,147	Toole	28,174
Prairie	14,908	Treasure	9,357
Ravalli	30,332	Valley	50,666
Richland	30,618	Wheatland	14,737
Roosevelt	33,528	Wibaux	11,465
Rosebud	37,295	Yellowstone	58,916

Very truly yours,

J. HUGO ARONSON, Governor.

February 11, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 199 by Carney, et al.

Senate Bill No. 107 by Hibbs.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

Senate Bill No. 107, introduced by Hibbs: A bill for an act entitled: "An act to amend section 60-144, Revised Codes of Montana, 1947, relating to the furnishing of cores and cuttings from oil and gas wells by the owners thereof to the Oil and Gas Conservation Commission of the State of Montana; deleting all references in said section to the Bureau of Mines and Geology of the State of Montana and substituting the commission therefor; providing the commission may relieve owners of the obligation to furnish cores and cuttings when unduly burdensome or oppressive; repealing all acts and parts of acts in conflict herewith." Referred to Committee on Oil and Gas.

Senate Bill No. 199, introduced by Carney, Cotton, Michels: A bill for an act entitled: "An act to amend section 32-1603, Revised Codes of Montana, 1947, relating to the duties of the Highway Commission, requiring the commission to submit to the Legislature and the Governor a biennial report of its activities, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Substitute House Bill No. 126, introduced by Committee on State Boards and Institutions: A bill for an act entitled: "An act to create a state bureau of criminal identification, and statistics under the department of the attorney general; providing the general powers and duties; providing for laboratory and clinical facilities; providing for transmission of records to the bureau; providing for appointment and discharge of personnel; providing for a records section at the state penitentiary; providing for money for the operation of the bureau; amending section 25-226 and

25-201, Revised Codes of Montana, 1947, as amended; providing for appropriation of fees collected; repealing certain acts in conflict therewith and providing an effective date." Referred to Committee on Printing.

Substitute House Bill No. 228, introduced by Committee on Highways and Highway Transportation: A bill for an act entitled: "An act imposing taxes in consideration of the use of the public highways of Montana by motor vehicles; defining the terms person, motor vehicle, commission, farm vehicle and logging vehicle; making it unlawful to use the public highways of the state without first securing a use permit; providing rate schedules; providing for special mobile equipment; providing the method for obtaining a use permit; providing the dates upon which the taxes imposed are due, and the place of payment; granting to the State Highway Commission power to issue temporary use permits; providing the method of making returns; fixing liability for taxes upon the carrier and owner; providing certain exceptions in the case of special kinds of trailing units, for persons entitled to reciprocity, for operators of certain interstate fleets; providing for trip permit; giving the State Highway Commission power to determine the tax due; providing for hearings in the commission; providing an exclusive method for the judicial review of decisions of the commission; providing procedures for the collection of taxes due and vesting power in the commission to issue certificates which when filed have the status of judgments of the district courts; providing for liens on motor vehicles for unpaid taxes and providing the method of foreclosure of such liens and the priority thereof; providing for the revocation of registrations of motor vehicles for non-payment of taxes; providing the method of serving notices and process and for the appointment of the secretary of state as an agent upon whom notice or process may be served; providing for interest and penalties, both civil and criminal, for violations of the act and rules enacted pursuant thereto; giving justice and district courts concurrent jurisdiction of misdemeanors committed under the act; providing that violations of the act are in part committed in Helena; providing for the prosecution of violations by the attorney general and the county attorneys; providing for refunds; giving the State Highway Commission powers to administer and enforce the act, require security for the payment of taxes due or to be due, to make rules for its own procedures, to designate ports of entry, to appoint deputies, to generally make rules for the enforcement and administration of the act; providing for the disposition of revenues received under the act; providing for severability; regulating the transfer of use permits; limiting municipal taxation of motor vehicles; providing a short title; repealing certain acts and parts of acts and saving the penalties under repealed acts; providing for an effective date." Referred to Committee on Printing.

Substitute House Bill No. 385, introduced by Committee on State Boards and Institutions: A bill for an act entitled: "An act amending section 69-1512 of the Revised Codes of Montana of 1947 relating to fees for inspection of boilers and for examination of applicants for engineer's license; and amending section 69-1516 of the Revised Codes of Montana of 1947 relating to renewal of certificates of license to engineers; and repealing all acts and parts of acts in conflict herewith and providing an effective date." Referred to Committee on Printing.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 70 was passed by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Harball,

Healy, Holding, Higham, Holtz, Howard, Jardine, Kiff, Kvaalen, Lees, Leuthold, Loman, McGaffick, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Powell, Powers, Regan, Reinecke, Rindy, Sales, Shelden, Sheldon, Strnisha, Walton, Wold, Wright, McNally, Mr. Speaker. Total 63.

Noes: Abel, Barnard, Clowes, Eskildsen, Karlberg, Langston, McOmber, Nees, Picard, Raundal, Schwinden, Wood. Total 12.

Absent and not voting: Bardanouve, Cerovski, Hanks, Kolar, Loughran, Reeder, Tonner, McGarvey. Total 8.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Woodring. Total 11.

House Bill No. 121 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 76.

Noes: Elting, Moudree. Total 2.

Absent and not voting: Anderson, Cerovski, Kolar, McGarvey, Reeder. Total 5.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Woodring. Total 11.

House Bill No. 197, being a bill calling for a constitutional amendment, was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Curry, Daniels, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wright, Mr. Speaker. Total 72.

Noes: Angstman, Corcoran, Devier, Healy, Morrison, Moudree, Raundal, Wood, Wold. Total 9.

Absent and not voting: McGarvey, Reeder. Total 2.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Woodring. Total 11.

House Bill No. 197, introduced by Abel, Healy, Schwinden, Battin: A bill for an act entitled: "An act for the submission to the qualified electors of the State of Montana of an amendment to the Constitution of the State of Montana, amending section 6 of article XVI of said constitution, relating to the authorization of the Legislative Assembly to provide for the election or appointment of county, township, precinct and municipal of-

ficers, not otherwise in the constitution, provided as public convenience may require, increasing the limit of time of office from two years to four years."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That section 6 of article XVI of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana at the general election to be held in November, 1960.

Section 2. That section 6 of article XVI of the Constitution of the State of Montana, be, and the same is hereby amended to read as follows:

"Section 6. The Legislative Assembly may provide for the election or appointment of such other county, township, precinct and municipal officers as public convenience may require and their terms of office shall be prescribed by law, not in any case to exceed four (4) years, except as in this constitution otherwise provided."

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot provided by section 23-1102 of the Revised Codes of Montana, 1947, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

- ☐ For the above amendment.
- ☐ Against the above amendment.

The elector shall designate his preference for either of the propositions by marking "X" before the proposition for which he desires to vote.

Section 4. The vote cast for and against the amendment herein proposed shall be counted, canvassed and determined by such officials and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment the Governor of the State of Montana shall so declare by public proclamation, and the amendment shall be in full force and effect as a part of the constitution from and after the date of such proclamation.

House Bill No. 202 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 73.

Noes: Anderson, Cerovski, Elting, Felt, Gerard, Sheldon. Total 6.

Absent and not voting: McGarvey, McOmber, Moudree, Reeder. Total 4.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Woodring. Total 11.

House Bill No. 273 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Es-

kildsen, Fjare, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Regan, Reinecke, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 71.

Noes: Felt, Fladager, Jardine, Loman, Raundal, Sales. Total 6.

Absent and not voting: Angstman, Loughran, McGaffick, McGarvey, Moudree, Reeder. Total 6.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Woodring. Total 11.

House Bill No. 287 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Angstman, Barrett, McGarvey, Reeder. Total 4.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Woodring. Total 11.

Substitute House Bill No. 78 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Holtz, Howard, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Regan, Reinecke, Rindy, Sales, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 73.

Noes: Eskildsen, Higham, Jardine, Kvaalen, Loman, Raundal, Schwinden. Total 7.

Absent and not voting: Angstman, McGarvey, Reeder. Total 3.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Woodring. Total 11.

Substitute House Bill No. 263 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jar-

dine, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 74.

Noes: Bashor, Clowes, Kvaalen. Total 3.

Absent and not voting: Angstman, Eskildsen, McGarvey, Moudree, Reeder, Shelden. Total 6.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Woodring. Total 11.

Substitute House Bill No. 201 was passed by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunder-son, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Wright, Mr. Speaker. Total 78.

Noes: Abel. Total 1.

Absent and not voting: McGarvey, Moudree, Reeder, Sheldon. Total 4.

Excused: Cavan, Gill, Hawks, Holecek, Jensen, Page (Granite), Paulsen, Shea, Sheehy, Wayrynen, Woodring. Total 11.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Thursday, February 12, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

THIRTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 12, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Reeder and Shea, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-eighth Legislative Day, find the same to be correct.

ESKILDSEN, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 154, respectfully report as follows: That House Bill No. 154 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 155, respectfully report as follows: That House Bill No. 155 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 184, respectfully report as follows: That House Bill No. 184 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 185, respectfully report as follows: That House Bill No. 185 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 208, respectfully report as follows: That House Bill No. 208 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 210, respectfully report as follows: That House Bill No. 210 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 247, respectfully report as follows: That House Bill No. 247 be amended as follows:

Amend line 2 of the title of the original bill, by striking "25.1, chapter 263, laws of 1955" and inserting in lieu thereof the following: "32-2128, of the Revised Codes of Montana, 1947,"

Further amend section 1, line 14 and 15, page 1 of the original bill, by striking "25.1, chapter 263, laws of 1955" and insert in lieu thereof the following: "32-2128, of the Revised Codes of Montana, 1947"

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 248, respectfully report as follows: That House Bill No. 248 be amended as follows:

Amend line 1 and 2 of the title of the original bill, page 1, by striking "30, chapter 263, laws of 1955" and inserting in lieu thereof the following: "32-2133, of the Revised Codes of Montana, 1947"

And further amend section 1, line 10 of the original bill, by striking:

“30, chapter 263 of the laws of 1955” and inserting in lieu thereof the following: “32-2133 of the Revised Codes of Montana, 1947”

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 249, respectfully report as follows: That House Bill No. 249 be amended as follows:

Amend the title of the original bill, line 1 and 2, page 1, by striking the figures and words following the word “section,” “31, chapter 263, laws of 1955” and inserting in lieu thereof the following: “32-2134, of the Revised Codes of Montana, 1947, as amended”

And further amend on page 1, line 17 of the original bill by striking the figures and words “31, chapter 263, laws of 1955” and inserting the following: “32-2134 of the Revised Codes of Montana, 1947, as amended”

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 250, respectfully report as follows: That House Bill No. 250 do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 272, respectfully report as follows: That House Bill No. 272 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 329, respectfully report as follows: That House Bill No. 329 be amended as follows:

Amend the title in line 7 of page 1 of the original bill by deleting the word “for” and inserting in lieu thereof the words “that there shall be”

Amend the title further in line 8 of page 1 of the original bill by deleting the “;” after the word “district” and inserting in lieu thereof the words “from and after the first Monday in January 1961”;

Amend the title further in line 10 of page 1 of the original bill by deleting the words “elections thereafter”; and inserting in lieu thereof the words “the election of three judges for said Eighth Judicial District in 1960.”

And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 378, respectfully report as follows: That House Bill No. 378 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had

under consideration House Bill No. 437, respectfully report as follows:
That House Bill No. 437 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 439, respectfully report as follows:
That House Bill No. 439 do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 415, respectfully report as follows:
That House Bill No. 415 do pass.

CLOWES, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 11, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 159 by McNally et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 11, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Fish and Game on this day, report adopted, and same is herewith returned to the House.

Substitute House Bill No. 161 by Committee on Fish and Game.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 11, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 152 by Nixon et al.

Senate Bill No. 169 by Mahoney (Garfield) et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 11, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 142 by Wood et al.

House Bill No. 169 by Committee on Appropriations.

House Joint Memorial No. 2 by Wold et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 11, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Agriculture on this day, report adopted, and the same is herewith returned to the House:

House Bill No. 87 by Holtz et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Jardine that House Bill No. 286 now on General Orders, be rereferred to the Committee on State Boards and Institutions. Motion carried.

Motion was made by Cerovski that House Bill No. 44 be taken from General Orders and referred to the Committee on Judiciary. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 152, introduced by Nixon, Groff, Cole: A bill for an act entitled: "An act to amend section 82-107 of the Revised Codes of Montana, 1947, relating to the term of office of controller, to provide that the controller shall serve at the pleasure of the Governor; providing a repealing clause and providing for an effective date." Referred to Committee on State Boards and Institutions.

Senate Bill No. 169, introduced by Mahoney (Garfield), Brenner, Manning: A bill for an act entitled: "An act to amend sections 75-3618 as amended by chapter 272, laws of 1955, 75-1723, 75-3616 and 75-3706, Revised Codes of Montana, 1947, providing for an increase to fifteen (15) mills in the county wide common school levy and providing for the repeal of the school district five (5) mill common school levy and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Education.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Abel of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 191 be placed at the bottom of the list.

That House Bill No. 164 be placed at the bottom of the list.

That House Bill No. 215 be placed at the bottom of the list.

That consideration of House Bill No. 231 be passed for the day.

That House Bill No. 241 be placed at the bottom of the list.

That House Bill No. 268 do pass.

That House Bill No. 517 do pass.

That House Bill No. 518 do pass.

That House Bill No. 328 do pass.

That House Bill No. 174 do pass.

That House Bill No. 395 do pass.

That consideration of House Bill No. 408 be passed temporarily.

That consideration of House Bill No. 409 be passed temporarily.

That House Bill No. 442 do pass.

That House Bill No. 443 do pass.

That House Bill No. 521 do pass.

That House Bill No. 353 do pass.

That Senate Amendments to House Bill No. 159 be placed at the bottom of the list.

That House Bill No. 242 be amended in section 1, subsection (b) in line 10, page 1 of the printed bill, being line 16 of the original bill, by striking after the word "November" the figures "2, 1948" and inserting in lieu thereof the figures "4, 1958";

Be further amended in section 2, subsection (b) in line 10, page 2, of the printed bill, being line 4, page 2 of the original bill, by striking after the word "November" the figures "2, 1948" and inserting in lieu thereof the figures "4, 1958"; and as so amended, House Bill No. 242 do pass.

ABEL, Chairman.

Motion was made by Abel for adoption of the Committee of the Whole report.

Substitute motion was made by Gerard that House Bill No. 242 be segregated from the Committee Report. Gerard requested a roll call vote and that the same be spread on the Journal in full, and asked for the requisite number of seconds. Sufficient seconds arose and the Speaker

ordered a roll call vote. The substitute motion failed by the following vote:

Ayes: Anderson, Babcock, Bentz, Broeder, Cavan, Corcoran, Felt, Fjare, Gerard, Haines (Prairie), Haines (Missoula), Higham, Kiff, Kolar, Kvaalen, Loman, Nelstead, Paulsen, Powell, Reinecke, Sales, Walton, Wright. Total 23.

Noes: Aasheim, Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emons, Eskildsen, Fladager, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Langston, Lees, Leuthold, Loughran, McGaffick, McNally, McOmber, Mermin, Morrison, Moudree, Nees, Nichols, Page (Missoula), Parker, Picard, Powers, Raundal, Regan, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wold, Mr. Speaker. Total 60.

Absent and not voting: Bashor, Battin, Elting, Gleed, Hawks, McGarvey, Page (Granite), Wood, Woodring. Total 9.

Excused: Reeder, Shea. Total 2.

Original motion by Abel for adoption of the Committee Report carried.

February 11, 1959.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 75, 112, 6, and 110, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:30 o'clock p.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

The Speaker signed the following Senate Bills in open session, the titles having first been read:

Senate Bills Nos. 63 and 97.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 221, 320, 338, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 489, 236, and House Joint Resolution No. 4, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration House Bill No. 143, respectfully report as follows: That House Bill No. 143 do not pass.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 200, respectfully report as

follows: That House Bill No. 200 be amended by striking section 20 in its entirety, and as amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 226, respectfully report as follows: That House Bill No. 226 do not pass.

PICARD, Chairman.

Motion was made by Picard for adoption of the committee report.

Substitute motion was made by Bradford that the committee report be not adopted and that House Bill No. 226 be taken from the Committee on Townships and Counties and referred to the Committee on Judiciary. Motion carried.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration House Bill No. 238, respectfully report as follows: That House Bill No. 238 do not pass.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 244, respectfully report as follows: That House Bill No. 244 do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 276, respectfully report as follows: That House Bill No. 276 do not pass.

PICARD, Chairman.

Motion was made by Picard for adoption of the committee report.

Substitute motion was made by Wood that House Bill No. 276 be printed and placed on General Orders. Substitute motion carried.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 283, respectfully report as follows: That House Bill No. 283 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration House Bill No. 295, respectfully report as follows: That House Bill No. 295 be reported out of committee without recommendation.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 289, respectfully report as follows: That House Bill No. 289 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having

had under consideration House Bill No. 296, respectfully report as follows: That House Bill No. 296 do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 379, respectfully report as follows: That House Bill No. 379 be amended as follows:

In section 1, line 20, page 3 of the original bill, by deleting the words and figures "twenty-five dollars (\$25.00)" and inserting in lieu thereof the words and figures "fifteen dollars (\$15.00)"

And as amended, do pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 404, respectfully report as follows: That House Bill No. 404 do not pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration House Bill No. 425, respectfully report as follows: That House Bill No. 425 be amended as follows:

Be amended by striking section 3, lines 29 and 30, page 1 of the original bill, in its entirety,

And as amended, do pass.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration House Bill No. 426, respectfully report as follows: That House Bill No. 426 do not pass, but that

Substitute House Bill No. 426, introduced by the Committee on State Lands, Forests and Parks: A bill for an act entitled: "An act to amend section 81-433 of the Revised Codes of Montana, 1947, as amended by chapter 190, laws of 1949 and chapter 229, laws of 1951, relating to rental rates of state grazing lands upon the animal-unit-month basis, to provide for an increase in the rental rates of state grazing lands by use of a new formula for computation of such rates, and to provide for the repeal of all acts and parts of acts in conflict herewith."

Do pass.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration House Bill No. 427, respectfully report as follows: That House Bill No. 427 do not pass.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration House Bill No. 428, respectfully report as follows: That House Bill No. 428 do not pass.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 461, respectfully report as follows: That House Bill No. 461 do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration House Bill No. 470, respectfully report as follows: That House Bill No. 470 do not pass.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 479, respectfully report as follows: That House Bill No. 479 be amended as follows:

Amend the title, line 10, page 1 of the original bill, after the words "on gasoline" and before the words "and containing" by inserting the following: "providing that power to determine the validity of such claims shall rest in the State Board of Equalization";

And further amend in section 1, page 2, line 6 of the original bill after the words "this act" and before the quotation marks, by inserting the following: "The State Board of Equalization shall have the power to audit the records necessary to determine the validity of any claim."

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Intergovernmental Cooperation, having had under consideration House Bill No. 519, respectfully report as follows: That House Bill No. 519 do pass.

CASEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Intergovernmental Cooperation, having had under consideration House Joint Memorial No. 12, respectfully report as follows: That House Joint Memorial No. 12 do pass.

CASEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Intergovernmental Cooperation, having had under consideration Senate Joint Resolution No. 1, respectfully report as follows: That Senate Joint Resolution No. 1 be concurred in.

CASEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 187, 317, Sub. 125, and House Joint Resolution No. 3, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

MESSAGES FROM THE SENATE

February 12, 1959.

Mr. Speaker:

In reference to my letter of February 11, 1959, which you read over

your rostrum this a.m., please delete the following which was inserted in error:

House Joint Memorial No. 2 by Wold et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 12, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Memorial was on February 11, 1959, read third time and concurred in as amended, title and history agreed to, and the same is returned to the House for concurrence in Senate Amendments:

House Joint Memorial No. 2 by Wold et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Barnard that House Bill No. 44 be taken from the Committee on Judiciary and placed on General Orders. Motion carried.

Motion was made by Fladager that House Bill No. 295 be printed and placed on General Orders. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measure at length, and referred to committees:

Substitute House Bill No. 426, introduced by the Committee on State Lands, Forests and Parks: A bill for an act entitled: "An act to amend section 81-433 of the Revised Codes of Montana, 1947, as amended by chapter 190, laws of 1949 and chapter 229, laws of 1951, relating to rental rates of state grazing lands upon the animal-unit-month basis, to provide for an increase in the rental rates of state grazing lands by use of a new formula for computation of such rates, and to provide for the repeal of all acts and parts of acts in conflict herewith." Referred to Printing Committee.

House Bill No. 523, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the payment of certain deficiency claims arising from obligations incurred by the State Board of Equalization; public employees retirement system; supreme court; state forester; from obligations arising from a judgment for Robert L. Randall; providing for validity notwithstanding the provisions of the budget act; and providing for an effective date." Referred to Committee on Appropriations.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Abel of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Senate Amendments to House Bill No. 159 be passed for the day.

That House Bill No. 300 do pass.

That House Bill No. 43 do pass.

Amend House Bill No. 133 in the title by adding after the last words thereof, the following: "and containing a repealing clause"; and as amended, do pass.

That House Bill No. 136 do pass.

ABEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills No. 174, 242, 268, 328, 353, 395, 442, 443 and 517, 518 and 521 considered correctly engrossed.

PARKER, Chairman.

Motion was made by Cerovski that the House recess until 7:30 p.m. this day. Motion carried.

House recessed.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 155, 314, 472, 476, and Sub. H. B. 385, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 372, respectfully report as follows: That House Bill No. 372 be amended as follows:

Amend the title of the original bill after the word "state" by adding the words "repealing all acts and parts of acts in conflict herewith," and further amend by striking in the original bill after the comma following the word "act" on line 11, the words "and that the character and general fitness of the incorporators are such as to warrant his approval."

Further amend by adding section 2 to read: "All acts and parts of acts in conflict herewith are hereby repealed."

And as amended, do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 89, respectfully report as follows: That House Bill No. 89 be amended as follows:

Be amended on page 4, following line 19, subsection (q) by adding subsection "(r) This act shall have no application to the lending of money by banks or other lending institutions and securing loans by chattel mort-

gages of goods in the ordinary course of lending by such banks or other lending institutions."

And further amend at page 14, line 23, section 9, by placing the period after the word "contract" and delete the words and figures "after deducting from such refund an acquisition cost of twenty dollars (\$20.00)."

And further amend on page 8, under section 7 (a) following the period after the word "buyer" by inserting the following: "However, if a retail installment transaction is a sale of goods other than a motor vehicle where no title, lien or other security interest is retained or taken by the seller, then the retail installment contract need not be contained in a single document. In such cases, if the contract is contained in more than one document, then one such document may be an original document executed by the retail buyer applicable to purchases of goods or services to be made by the retail buyer from time to time and in such case such document, together with the sales slip, account book or other written statement relating to each purchase, shall set forth all of the information required by this section and shall constitute the retail installment contract for each such purchase."

And further amend on page 13, lines 6 and 7, under Class 2 by deleting the words and figures "ten dollars (\$10.00)" and inserting in lieu thereof the words and figures "nine dollars (\$9.00)";

And further amend on page 13, under Class 3, line 10, by deleting the words and figures "thirteen dollars (\$13.00)" and inserting in lieu thereof the words and figures "eleven dollars (\$11.00)"

And as amended, do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 373, respectfully report as follows: That House Bill No. 373 do not pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 389, respectfully report as follows: That House Bill No. 389 do not pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 431, respectfully report as follows: That House Bill No. 431 do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 480, respectfully report as follows: That House Bill No. 480 do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 193, respectfully report as follows: That House Bill No. 193 by amended as follows:

By inserting in line 20 of the original bill after "(Matter deleted)" and before the word "are" the following: "Montana State School for Deaf

and Blind, State Vocational School for Girls, Montana State Industrial School"

And as amended, do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 306, respectfully report as follows: That House Bill No. 306 be referred to the Appropriations Committee with the recommendation that it do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 323, respectfully report as follows: That House Bill No. 323 be amended as follows:

Amend the title, in line 9 thereof of the original bill, by striking the words "school districts and irrigation districts,"

And further amend the title in lines 12 and 13 thereof of the original bill by striking the words "school districts and irrigation districts,"

And further amend the title in lines 16 and 17 of the original bill by striking the words "school districts and irrigation districts,"

And further amend the title in lines 24 and 25 thereof of the original bill by striking the words: "school districts and irrigation districts,"

And further amend the title in line 25 thereof of the original bill by adding the following language after the semicolon (;) "specifically excluding school districts and irrigation districts from the benefits of this act";

And further amend section 1, in paragraph (h), line 31, page 2 of the original bill, by striking the words "school districts and irrigation districts",

And further amend section 1, in paragraph (h) line 1, page 3 of the original bill, by adding before the word "which": "but specifically excluding school districts and irrigation districts",

And further amend section 1, in paragraph (i) (6), at line 3, page 4 of the original bill, by striking the words "school districts and irrigation districts",

And further amend section 1, in paragraph (i) (6), line 5, page 4 of the original bill, by striking the period (.) and inserting in lieu thereof a comma (,) and adding the following: "but specifically excluding school districts and irrigation districts.",

And further amend section 1, in paragraph (j) (1), line 9 on page 4 of the original bill, by striking the words "school districts and irrigation districts",

And further amend section 1, in paragraph (j) (1), line 11 on page 4 of the original bill, by striking the period (.) and inserting in lieu thereof a comma (,) and adding the following: "but does not mean or include service for school districts or irrigation districts.",

And further amend section 2, in the third unnumbered paragraph, page 8, line 23 of the original bill, by striking the words "school districts and irrigation districts",

And as amended, do pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 447, respectfully report as follows: That House Bill No. 447 do not pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 450, respectfully report as follows: That House Bill No. 450 be amended as follows:

By deleting in section 1, line 29, page 2 of the original bill after the colon "the state vocational school for girls,";

By further deleting in line 30 after the comma the words "the Montana state industrial school,";

Amend further in line 30 by deleting the comma after the word "home" and inserting in lieu thereof the word "and";

Further amend in line 31 by deleting after the word "school" the words "and the Montana state school for the deaf and blind",

And as amended, do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 515, respectfully report as follows: That House Bill No. 515 do not pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 370, respectfully report as follows: That House Bill No. 370 do pass.

McGARVEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 498, respectfully report as follows: That House Bill No. 498 do not pass.

McGARVEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 133, and 300 and 43 and 136 considered correctly engrossed.

AASHEIM, Vice-Chairman.

MESSAGE FROM THE SENATE

February 12, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion requested that the House return to the Senate, House Bill No. 87.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House accede to the request of the Senate and return to that body House Bill No. 87. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriations measure having been read at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 133 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Paulsen, Picard, Powell, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Barrett, Mr. Speaker. Total 75.

Noes: Angstman, Haines (Prairie). Total 2.

Absent and not voting: Battin, Broeder, Felt, Gerard, Gill, Gleed, Hawks, Jensen, Nichols, Page (Granite), Page (Missoula), Parker, Powers, Shelden, Wayrynen. Total 15.

Excused: Reeder, Shea. Total 2.

House Bill No. 242 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, Mernin, Morrison, Moudree, Nees, Nelstead, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, McOmber, Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Battin, Broeder, Felt, Gerard, Gill, Gleed, Hawks, Jensen, Nichols, Page (Granite), Page (Missoula), Parker. Total 12.

Excused: Reeder, Shea. Total 2.

House Bill No. 268 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy,

Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 80.

Noes: Angstman. Total 1.

Absent and not voting: Battin, Broeder, Felt, Gerard, Gill, Gleed, Hawks, Jensen, Langston, Page (Granite), Parker. Total 11.

Excused: Reeder, Shea. Total 2.

House Bill No. 328 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Paulsen, Picard, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 81.

Noes: Anderson, Powell. Total 2.

Absent and not voting: Battin, Felt, Gerard, Gill, Gleed, Jensen, Page (Granite), Parker, Sheehy. Total 9.

Excused: Reeder, Shea. Total 2.

House Bill No. 353 failed to pass by the following vote:

Ayes: Anderson, Babcock, Bardanouve, Bradford, Casey, Cavan, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Gilfeather, Glancy, Gunderson, Haines (Missoula), Healy, Holding, Holtz, Karlberg, Kiff, Kvaalen, Langston, Leuthold, McGarvey, Mernin, Nichols, Paulsen, Powers, Raundal, Regan, Strnisha, Tonner, Wayrynen, Wood, Wold, Wright. Total 38.

Noes: Aasheim, Abel, Angstman, Barrett, Barnes, Bashor, Bentz, Broeder, Cerovski, Clowes, Curry, Fjare, Fladager, Haines (Prairie), Hanks, Harball, Hawks, Higham, Holecek, Howard, Jardine, Kolar, Lees, Loman, Loughran, McGaffick, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Picard, Powell, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Walton, Woodring, Mr. Speaker. Total 45.

Absent and not voting: Barnard, Battin, Felt, Gerard, Gill, Gleed, Jensen, Page (Granite), Parker. Total 9.

Excused: Reeder, Shea. Total 2.

House Bill No. 174 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Barrett, Barnard, Barnes, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Elting, Gilfeather, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Healy, Holtz, Howard, Jardine, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Paulsen, Powell, Powers, Raundal, Regan, Schwinden, Shelden, Sheldon, Walton, Wood, Woodring, Wright. Total 52.

Noes: Bardanouve, Bashor, Broeder, Corcoran, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Fladager, Harball, Hawks, Holding, Higham, Holecek, Karlberg, Kiff, McGaffick, McGarvey, Mernin, Nichols, Picard, Rein-

ecke, Rindy, Sales, Sheehy, Strnisha, Tonner, Wold, Mr. Speaker. Total 30.

Absent and not voting: Battin, Felt, Gerard, Gill, Gleed, Jensen, McOmber, Page (Granite), Parker, Wayrynen. Total 10.

Excused: Reeder, Shea. Total 2.

House Bill No. 395 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, DeWolfe, Emmons, Eskildsen, Fjare, Gilfeather, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Page (Missoula), Paulsen, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Nees, Mr. Speaker. Total 75.

Noes: Angstman, Elting, Fladager, Nichols. Total 4.

Absent and not voting: Battin, Corcoran, Devier, Felt, Gerard, Gill, Gleed, Jensen, Langston, McGaffick, Page (Granite), Parker, Picard. Total 13.

Excused: Reeder, Shea. Total 2.

House Bill No. 300 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cavan, Cerovski, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Holecek, Holtz, Howard, Jardine, Karlberg, Kvaalen, Langston, Lees, Leuthold, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nichols, Picard, Powell, Powers, Raundal, Regan, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wood, Woodring, Wright, Mr. Speaker. Total 61.

Noes: Anderson, Babcock, Bentz, Broeder, Clowes, Corcoran, Elting, Fjare, Fladager, Haines (Prairie), Higham, Kiff, Kolar, Loman, Nelstead, Page (Missoula), Paulsen, Reinecke, Sales, Walton. Total 20.

Absent and not voting: Battin, Felt, Gerard, Gill, Gleed, Jensen, Loughran, Page (Granite), Parker, Wayrynen, Wold. Total 11.

Excused: Reeder, Shea. Total 2.

House Bill No. 442 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, Elting, Emmons, Eskildsen, Fjare, Gilfeather, Glancy, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, McGarvey, McNally, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Powers, Raundal, Regan, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 72.

Noes: Angstman, DeWolfe, Fladager, Haines (Missoula), Holecek, McGaffick, Moudree, Reinecke, Sales. Total 9.

Absent and not voting: Battin, Felt, Gerard, Gill, Gleed, Jensen, Lees, Loughran, McOmber, Parker, Wayrynen. Total 11.

Excused: Reeder, Shea. Total 2.

House Bill No. 443 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, Emmons, Fjare, Fladager, Gilfeather, Glancy, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Powers, Raundal, Regan, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 69.

Noes: Anderson, Angstman, Bashor, Corcoran, DeWolfe, Elting, Eskildsen, Haines (Missoula), Higham, Holecek, Reinecke. Total 11.

Absent and not voting: Battin, Felt, Gerard, Gill, Gleed, Jensen, Lees, Loughran, McGaffick, Nees, Parker, Woodring. Total 12.

Excused: Reeder, Shea. Total 2.

House Bill No. 517 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 82.

Noes: Angstman, Holecek. Total 2.

Absent and not voting: Battin, Cavan, Felt, Gerard, Gill, Gleed, Jensen, Parker. Total 8.

Excused: Reeder, Shea. Total 2.

House Bill No. 518 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 82.

Noes: Angstman. Total 1.

Absent and not voting: Battin, Devier, Felt, Gerard, Gill, Gleed, Jensen, Loughran, Parker. Total 9.

Excused: Reeder, Shea. Total 2.

House Bill No. 521 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Curry, Devier, Elting, Emmons, Eskildsen, Gilfeather, Glancy, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Holtz, Howard, Jardine, Karlberg, Langston, Lees, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Powell, Powers, Regan, Rindy, Sales, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Mr. Speaker. Total 58.

Noes: Angstman, Babcock, Bardanouve, Broeder, Corcoran, Daniels, DeWolfe, Fjare, Fladager, Gunderson, Higham, Holecek, Kiff, Kolar, Kvaalen, Leuthold, McGaffick, Morrison, Moudree, Picard, Raundal, Reinicke, Schwinden, Wold, Wright. Total 25.

Absent and not voting: Battin, Felt, Gerard, Gill, Gleed, Jensen, Parker, Paulsen, Wayrynen. Total 9.

Excused: Reeder, Shea. Total 2.

House Bill No. 43, calling for a constitutional amendment, was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Barrett, Barnard, Barnes, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Eskildsen, Gilfeather, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Leuthold, Loman, Loughran, McGarvey, McOmber, Mernin, Morrison, Nees, Page (Granite), Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Schwinden, Sheehy, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 64.

Noes: Angstman, Bashor, Daniels, Elting, Emmons, Fjare, Fladager, Jardine, Langston, McNally, Moudree, Nelstead, Nichols, Page (Missoula), Sales, Shelden, Sheldon. Total 17.

Absent and not voting: Bardanouve, Felt, Gerard, Gill, Glancy, Gleed, Jensen, Lees, McGaffick, Parker, Battin. Total 11.

Excused: Reeder, Shea. Total 2.

House Bill No. 43, introduced by Barnard, Wood, Howard, Felt: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana an amendment to section 20, article VII of the Constitution of the State of Montana relating to the composition, powers and duties of the State Board of Examiners, to provide for the abolishment of the State Board of Prison Commissioners as a constitutional body."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That section 20 of article VII of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana, at the general election to be held in November of 1960.

Section 2. That section 20 of article VII of the Constitution of the State of Montana be, and the same is hereby amended to read as follows:

"Section 20. The governor, secretary of state and attorney general shall constitute a board of (matter deleted) examiners, with power to examine all claims against the state, except salaries or compensation of officers fixed by law, and perform such other duties as may be prescribed

by law; and no claim against the state, except for salaries and compensation of officers fixed by law, shall be passed upon by the Legislative Assembly without first having been considered and acted upon by said board. The Legislative Assembly may provide for the temporary suspension of the state treasurer by the governor, when the Board of Examiners deems such action necessary for the protection of moneys of the state."

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed upon an official ballot provided by chapter 11 of title 23 of the Revised Codes of Montana, 1947, as amended by chapter 79 of the Session Laws of Montana of 1949, and as amended by chapter 72 of the session laws of 1953, and as provided by law; and there shall be printed on such ballots the title of this act and the following words:

- ☐ For the above amendment.
- ☐ Against the above amendment.

House Bill No. 136 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Bentz, Broeder, Cavan, Clowes, Curry, Devier, Elting, Fladager, Gilfeather, Haines (Prairie), Hanks, Hawks, Healy, Higham, Howard, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, McOmber, Morrison, Nees, Nichols, Page (Granite), Paulsen, Picard, Powell, Powers, Regan, Rindy, Sheldon, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 48.

Noes: Angstman, Barnes, Bashor, Bradford, Cerovski, Corcoran, Daniels, DeWolfe, Emmons, Eskildsen, Fjare, Gunderson, Haines (Missoula), Harball, Holding, Holecek, Holtz, Jardine, Karlberg, Lees, McGaffick, McGarvey, McNally, Mernin, Moudree, Nelstead, Page (Missoula), Reinecke, Sales, Schwinden, Sheehy, Tonner, Wold. Total 33.

Absent and not voting: Battin, Casey, Felt, Gerard, Gill, Glancy, Gleed, Jensen, Loughran, Parker, Raundal. Total 11.

Excused: Reeder, Shea. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Abel of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole having had under consideration business under General Orders, recommend the following:

That House Bill No. 156 do pass.

That House Bill No. 220 be amended in section 1, in line 15, page 1 of the original bill, being page 1, line 3 of the printed bill, by striking out the words "and laws," and as amended, do pass.

That House Bill No. 277 be amended in section 1, in line 3 of the printed bill, being line 13 of the original bill, by deleting the following words: "(matter deleted)", and as amended, do pass.

That House Bill No. 359 do pass.

ABEL, Chairman.

Motion was made by Barrett for adoption of the Committee report. Report adopted.

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under rules of the previous sitting. Motion carried.

Abel of Hill in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole having had under consideration business under General Orders, recommend the following:

That House Bill No. 407 be amended in the title by striking out in the last sentence of the title the words "an effective date of this act.";

Be amended further in section 1, in line 1 of the printed bill, being line 21 of the original bill, by striking after the word "ribs" the period, and inserting in lieu thereof the words "in coal mines";

Be amended further in section 6 by striking that section in its entirety, and as amended, do pass.

That House Bill No. 448 do pass.

That House Bill No. 511 be amended in the title by adding after the last words thereof the following: "and containing a repealing clause," and as amended, do pass.

That House Bill No. 522 do pass.

That House Bill No. 251 do pass.

That House Bill No. 191 do pass.

That House Bill No. 164 do pass.

That House Bill No. 215 do pass.

That House Bill No. 241 do pass.

ABEL, Chairman.

Report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Friday, February 13, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FORTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 13, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Battin, who was excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Thirty-ninth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 77, 156, 164, 191, 220, 251, 277, 448, 511 and 359 and 522 considered correctly engrossed.

PARKER, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 326, respectfully report as follows: That House Bill No. 326 do not pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 436, respectfully report as follows: That House Bill No. 436 do not pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 284, respectfully report as follows: That House Bill No. 284 do not pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 441, respectfully report as follows: That House Bill No. 441 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 430, respectfully report as follows: That House Bill No. 430 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 386, respectfully report as follows: That House Bill No. 386 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 469, respectfully report as follows: That House Bill No. 469 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 54, respectfully report as follows: That House Bill No. 54 do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under

consideration House Bill No. 377, respectfully report as follows: That House Bill No. 377 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 387, respectfully report as follows: That House Bill No. 387 be amended as follows:

Amend the title in line 6 of page 1 of the original bill by deleting the “,” after the word “offense” and inserting a “,” and the following words: “By providing maximum terms of imprisonment for first and multiple offenders excepting those committed for murder, empowering the Board of Pardons to extend an original term of imprisonment for five years upon court approval, permitting petition to show cause why release on parole would be a threat to petitioner or the community permitting the use of certain evidence in proceedings on said petition and authorizing petition by the Board of Pardons for transfer of prison inmates for mental observation and treatment;”,

And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 400, respectfully report as follows: That House Bill No. 400 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 399, respectfully report as follows: That House Bill No. 399 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 410, respectfully report as follows: That House Bill No. 410 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 182, respectfully report as follows: That House Bill No. 182 be amended as follows:

Amend the title in line 6 of page 1 of the original bill by striking the following: “71-244, 71-245, 71-248”;

Amend section 1 in line 25 and 26 of the original bill by striking the following: “71-244, 71-245, 71-248”;

Further amend:

In line 14 of page 2 of the original bill by deleting the word “right” and inserting in lieu thereof the word “lien”;

In line 8 of page 3 of the original bill by deleting the word “present” and inserting in lieu thereof the word “foreclose”;

Further amend:

In line 8 of page 3 of the original bill preceding the word "claim" by inserting the word "lien";

And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 388, respectfully report as follows: That House Bill No. 388 be amended as follows:

Amend the title in line 6 of page 1 of the original bill by deleting the ";" after the word "procedure" and inserting a "," and the following words: "By repealing those provisions therein setting minimum periods of confinement in Montana state prison prior to the expiration of which inmates may not be considered for parole";

Amend the title further in line 10 of page 1 of the original bill by deleting the ";" after the word "violators" and inserting a "," and the following words: "By removing all references to conditional release";

Amend the title further in line 12 of page 1 of the original bill by deleting the ";" after the word "crime" and inserting a "," and the following words: "By removing references to conditional release";

Amend the title further in line 13 and line 14 of page 1 of the original bill by deleting the following words: "Discharge of prisoner, parolee, or conditional releasee"; and inserting in lieu thereof the following words: "Prisoner, parolee, or conditional releasee, by removing references to conditional release, providing for a minimum two year parole period and restoration of civil rights upon discharge from parole or completion of service of sentence and requiring discharge certificates to show such restoration of civil rights";

And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Workmen's Compensation, having had under consideration House Bill No. 416, respectfully report as follows: That House Bill No. 416 do not pass.

POWERS,
SHELDEN,
MERNIN,
HEALY,
EMMONS,
KARLBERG.

Motion was made by Powers for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Workmen's Compensation, having had under consideration House Bill No. 416, respectfully report as follows: That House Bill No. 416 be amended as follows:

In the title thereof by inserting in line 4 of the original bill after the word "owner" the words "of a retail or amusement establishment";

And in line 8 of the title of the original bill after the semicolon following the word "practice" by inserting "providing nothing in this act shall apply to an establishment that sells liquor or beer";

That section 1 be amended in line 12 of the original bill by inserting after the word "owner" the words "of a retail or amusement establishment";

That a new section 4 be added as follows: "Section 4. Nothing in this act shall apply to an establishment that sells liquor or beer."

That the original section 4 be numbered "section 5" and that the original section 5 be numbered as "section 6";

And as amended, do pass.

BROEDER,
BENTZ,
HAINES (Prairie),
McGARVEY.

Substitute motion was made by McGarvey for adoption of the Minority Committee report.

Substitute motion for all motions pending was made by Shelden that the committee reports not be adopted, and that House Bill No. 416 be referred to the Committee on Labor. Motion failed to carry.

Substitute motion by McGarvey carried; Minority Committee report adopted.

MESSAGES FROM THE GOVERNOR

February 13, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 6—Introduced by Mernin.

H. B. No. 110—Introduced by McGarvey and Broeder.

H. B. No. 112—Introduced by Committee on Education.

H. B. No. 179—Introduced by Leuthold and Regan.

H. B. No. 75—Introduced by Morrison, Elting, Leuthold and Barrett.

Very truly yours,
J. HUGO ARONSON, Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Cеровski that House Bill No. 500 be taken from the Committee on Constitutional Amendments and Federal Relations and referred to the Committee on Education. Motion carried.

Motion was made by Wood that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 289. Motion failed to carry.

Motion was made by Daniels that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 441. Motion carried.

Daniels moved that House Bill No. 441 be taken from the House and rereferred to the Committee on Judiciary. Motion carried.

Sheehy moved that House Bill No. 408 be taken from General Orders and rereferred to the Committee on Judiciary. Motion carried.

Sheehy moved that House Bill No. 409 be taken from General Orders and rereferred to the Committee on Judiciary. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 44 do pass.

That consideration of Sub. House Bill No. 125 be passed for the day.

That Senate Amendments to House Bill No. 159 be concurred in.

That Senate Amendments to House Joint Memorial No. 2 be placed at the bottom of the list.

That House Bill No. 155 be amended in the title by adding after the last words thereof, the following: "And providing an effective date";

Be further amended in line 4 of the printed bill, being lines 15 and 16 of the original bill, by deleting the words and figures "twelve thousand five hundred dollars (\$12,500)" and insert in lieu thereof the words and figures "ten thousand dollars (\$10,000)"; and as so amended, do pass.

That House Bill No. 187 do pass.

That House Bill No. 221 do pass.

That House Bill No. 231 be amended in the title by adding after the last words thereof the following: "And containing a repealing clause and providing an effective date."; and as amended, do pass.

That House Bill No. 236 do pass.

EMMONS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by McGarvey that House Bill No. 396 be taken from the Committee on Appropriations and referred to the Committee on Workmen's Compensation. Motion carried.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 185, 210, 247, 248, 249, 272, 378 and 439, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Printing, to whom was referred

House Bills Nos. 208, 415, 425, 437 and 461, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 142, 169, and House Joint Memorials Nos. 3 and 9.

JARDINE, Chairman.

I have examined House Bill No. 142 introduced by me and find the same to be correct.

WOOD.

I have examined House Bill No. 169 introduced by the Committee on Appropriations and find the same to be correct.

BARNARD, Chairman.

I have examined House Joint Memorial No. 3 introduced by me and find the same to be correct.

SHELDEN.

I have examined House Joint Memorial No. 9 introduced by me and find the same to be correct.

HAINES (Missoula)

The Speaker signed House Joint Memorials Nos. 3 and 9, and House Bills Nos. 142 and 169 in open session, the titles having first been read.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 123, respectfully report as follows: That House Bill No. 123 do not pass, but that

Substitute House Bill No. 123, introduced by the Committee on Banking and Insurance: A bill for an act entitled: "An act relating to loans and interest and other charges and expenses on loans; to define 'consumer type loan business' and certain other terms; to regulate and license the business of making consumer type loans in the amount of one thousand dollars (\$1,000.00) or less; to create the office of consumer loan commissioner, and to provide for the appointment and compensation of a consumer loan commissioner and to prescribe the powers, duties, authority and jurisdiction of such commissioner; to authorize the adoption and promulgation of rules and regulations; to make certain acts unlawful and to provide penalties and forfeitures for violations of this act; to exempt certain businesses from the provisions of this act; to prescribe certain license and other fees; to create a 'consumer loan administration fund' to be used to administer and enforce the provisions of this act; to provide for the issuance, refusal, suspension and revocation of licenses; to provide for the refund of certain precomputed charges where a loan is paid prior to maturity; to authorize and regulate the issuance of certain insurance in connection with consumer type loans in the amount of one thousand dollars (\$1,000.00) and less; to authorize investigations and examinations by the commissioner and to provide for examination fees; to require licensees to keep certain records and to make certain reports; to regulate wage assignment; to provide for appeals from any action or order of the commissioner; and repealing all acts and parts of acts in conflict herewith."

Do pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had

under consideration House Bill No. 257, respectfully report as follows: That House Bill No. 257 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 267, respectfully report as follows: That House Bill No. 267 be amended as follows:

Amend in original bill, in the title, on line 30, after the words "act to" by inserting the words "certain opticians and";

Further amend in original bill, page 8, line 7, after the word "Montana" insert the following words: "nor to an optician performing the required mechanical work under an order or prescription signed by a duly licensed physician or surgeon,";

And as amended, do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 288, respectfully report as follows: That House Bill No. 288 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 297, respectfully report as follows: That House Bill No. 297 do not pass, but that

Substitute House Bill No. 297, introduced by the Committee on Ways and Means: A bill for an act entitled: "An act to amend section 84-5408 of the Revised Codes of Montana of 1947 relating to the transmission of net proceeds to county assessor; and providing that valuation of mines for the purpose of taxation shall be an amount equal to the average net proceeds from such mine for the five calendar years next preceding or for as many years next preceding as the mine has had gross yield, whichever is less, providing for computation of average net proceeds; providing for determination of net proceeds for averaging to determine valuation; providing for no valuation for a year when there has been no gross yield; repealing all acts and parts of acts in conflict herewith and providing an effective date."

Do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration House Bill No. 312, respectfully report as follows: That House Bill No. 312 do not pass, but that

Substitute House Bill No. 312, introduced by the Committee on Military Affairs: A bill for an act entitled: "An act to amend section 77-177 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 26 of the Montana Session Laws of 1955 relating to the adjutant-general of the state, to provide for the discontinuance of the office of assistant adjutant-general; providing that the adjutant-general shall have the rank of major-general; designating his qualifications and experience; providing for a salary; providing for replacement of the adjutant-general; repealing subsections twelve and thirteen of section 77-120 of the Revised Codes of

Montana, 1947; and repealing all acts and parts of acts in conflict herewith."

Do pass.

ABEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 313, respectfully report as follows: That House Bill No. 313 do not pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 324, respectfully report as follows: That House Bill No. 324 do pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 331, respectfully report as follows: That House Bill No. 331 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 332, respectfully report as follows: That House Bill No. 332 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 do not pass, but that

Substitute House Bill No. 337, introduced by the Committee on Ways and Means: A bill for an act entitled: "An act to amend sections 4-317 and 4-324, Revised Codes of Montana, 1947, relating to taxes on beer to provide that the tax upon beer manufactured in the State of Montana or manufactured out of the state and lawfully imported into the state be increased from one dollar (\$1.00) to one dollar and 50/100 (\$1.50) per barrel of thirty-one (31) gallons and to provide that the tax on beer in containers of less capacity than a barrel of thirty-one (31) gallons shall be computed at the barrelage rate of one and 50/100 dollars (\$1.50) by the Montana Liquor Control Board, and to facilitate the identification of containers and the determination and computation of taxes applicable thereto by specifying the sizes of containers in which beer may be sold or offered for sale in the State of Montana, and providing for severability of the provisions of this act, and to repeal all acts and parts of acts in conflict herewith and to provide an effective date for this act."

Do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 348, respectfully report as follows: That House Bill No. 348 do pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having

had under consideration House Bill No. 351, respectfully report as follows: That House Bill No. 351 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 354, respectfully report as follows: That House Bill No. 354 be amended as follows:

On page 2, line 13 (by actual count) of the original bill, after the words "amount of" substitute "five per cent (5%)" for "ten per cent (10%)",

And as amended, do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 401, respectfully report as follows: That House Bill No. 401 do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration House Bill No. 444, respectfully report as follows: That House Bill No. 444 do not pass.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 458, respectfully report as follows: That House Bill No. 458 be amended as follows:

On line 6 of the original bill following the word "exceptions," delete "providing an effective date" in the title of the bill.

On page 2 of the original bill delete "section 3."

And as amended, do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 488, respectfully report as follows: That House Bill No. 488 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration House Bill No. 490, respectfully report as follows: That House Bill No. 490 be amended as follows:

By inserting a period after the word "board" on line 15 of the original bill and by deleting the words on lines 15 and 16, "and shall have the following qualifications: he shall have a degree of doctor of medicine";

And as amended, do pass.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had

under consideration House Bill No. 491, respectfully report as follows: That House Bill No. 491 do pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 30, respectfully report as follows: That Senate Bill No. 30 be not concurred in.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 55, respectfully report as follows: That Senate Bill No. 55 be amended as follows:

In line 84, page 3 of the printed bill, being lines 16 and 17, page 5 of the original bill, by deleting the words "both districts" and inserting in lieu thereof the words "either district";

In line 85, page 3 of the printed bill, being line 18, page 5 of the original bill, by deleting the words "both districts" and inserting in lieu thereof the words "either district";

And as amended, be concurred in.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 148, respectfully report as follows: That Senate Bill No. 148 be not concurred in.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration Senate Bill No. 152, respectfully report as follows: That Senate Bill No. 152 be concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Judiciary, having had under consideration House Bill No. 5, respectfully report as follows: That House Bill No. 5 do not pass.

ANDERSON,
FELT,
ANGSTMAN,
CAVAN,
MORRISON.

Motion was made by Gerard for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Judiciary, having had under consideration House Bill No. 5, respectfully report as follows: That House Bill No. 5 do pass.

DANIELS,
McGARVEY,
HELDING.

Substitute motion was made by McGarvey for adoption of the Minority committee report. Motion of McGarvey carried, Minority committee report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Wayrynen that House Bill No. 400 be taken from Printing and referred to the Committee on Fish and Game. Motion failed to carry.

Motion was made by Strnisha that House Bill No. 286 be taken from the Committee on State Boards and Institutions and placed on General Orders. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to the Committee on Printing:

Substitute House Bill No. 123, introduced by the Committee on Banking and Insurance: A bill for an act entitled: "An act relating to loans and interest and other charges and expenses on loans; to define 'consumer type loan business' and certain other terms; to regulate and license the business of making consumer type loans in the amount of one thousand dollars (\$1,000.00) or less; to create the office of consumer loan commissioner, and to provide for the appointment and compensation of a consumer loan commissioner and to prescribe the powers, duties, authority and jurisdiction of such commissioner; to authorize the adoption and promulgation of rules and regulations; to make certain acts unlawful and to provide penalties and forfeitures for violations of this act; to exempt certain businesses from the provisions of this act; to prescribe certain license and other fees; to create a 'consumer loan administration fund' to be used to administer and enforce the provisions of this act; to provide for the issuance, refusal, suspension and revocation of licenses; to provide for the refund of certain precomputed charges where a loan is paid prior to maturity; to authorize and regulate the issuance of certain insurance in connection with consumer type loans in the amount of one thousand dollars (\$1,000.00) and less; to authorize investigations and examinations by the commissioner and to provide for examination fees; to require licensees to keep certain records and to make certain reports; to regulate wage assignment; to provide for appeals from any action or order of the commissioner; and repealing all acts and parts of acts in conflict herewith."

Substitute House Bill No. 297, introduced by the Committee on Ways and Means: A bill for an act entitled: "An act to amend section 84-5408 of the Revised Codes of Montana of 1947 relating to the transmission of net proceeds to county assessor; and providing that valuation of mines for the purpose of taxation shall be an amount equal to the average net proceeds from such mine for the five calendar years next preceding or for as many years next preceding as the mine has had gross yield, whichever is less; providing for computation of average net proceeds; providing for determination of net proceeds for averaging to determine valuation; providing for no valuation for a year when there has been no gross yield; repealing all acts and parts of acts in conflict herewith and providing an effective date."

Substitute House Bill No. 312, introduced by the Committee on Military Affairs: A bill for an act entitled: "An act to amend section 77-177 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 26 of the Montana Session Laws of 1955, relating to the adjutant-general of the state, to provide for the discontinuance of the office of assistant adjutant-general; providing that the adjutant-general shall have the rank of major-general; designating his qualifications and experience; providing for a salary; providing for replacement of the adjutant-general; repealing subsections twelve and thirteen of section 77-120 of the Revised Codes of Montana, 1947; and repealing all acts and parts of acts in conflict herewith."

Substitute House Bill No. 337, introduced by the Committee on Ways

and Means: A bill for an act entitled: "An act to amend sections 4-317 and 4-324, Revised Codes of Montana, 1947, relating to taxes on beer to provide that the tax upon beer manufactured in the State of Montana or manufactured out of the state and lawfully imported into the state be increased from one dollar (\$1.00) to one dollar and 50/100 (\$1.50) per barrel of thirty-one (31) gallons and to provide that the tax on beer in containers of less capacity than a barrel of thirty-one (31) gallons shall be computed at the barrelage rate of one and 50/100 dollars (\$1.50) by the Montana Liquor Control Board, and to facilitate the identification of containers and the determination and computation of taxes applicable thereto by specifying the sizes of containers in which beer may be sold or offered for sale in the State of Montana, and providing for severability of the provisions of this act, and to repeal all acts and parts of acts in conflict herewith and to provide an effective date for this act."

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriation measure at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 77, being a bill calling for a constitutional amendment and requiring a two-thirds vote, was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Cerovski, Curry, DeWolfe, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunder-son, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Mis-soula), Powell, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Walton, Wayrynen, Woodring, Wold, Wright, Clowes, Leuthold, Mr. Speaker. Total 72.

Noes: Bardanouve, Daniels, Elting, Holecek, Jardine, Moudree, Parker, Raundal, Wood. Total 9.

Absent and not voting: Barrett, Broeder, Corcoran, Devier, Fjare, Gill, Paulsen, Picard, Powers, Shelden, Tonner. Total 11.

Excused: Battin, Lees. Total 2.

House Bill No. 77, introduced by Kvaalen, Anderson, Morrison, Barrett and Haines (Missoula): A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to section 7 of article XI of the Constitution of the State of Montana, providing that the date or dates upon which a child in his sixth year may commence his schooling may be determined by law; and contain- ing a repealing clause."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That section 7 of article XI of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana at the general election to be held in November, 1960.

Section 2. That section 7 of article XI of the Constitution of the State of Montana, be, and the same is hereby amended to read as follows:

"Section 7. The public free schools of the state shall be open to all children and youth between the ages of six and twenty-one years, provided, however, that the date or dates upon which a child in his sixth year may commence his schooling may be determined by law."

Section 3. This amendment shall be submitted to the qualified electors at the general election to be held in November, 1960, in the manner provided by law, and there shall be printed on such ballot the title of this act, and immediately below the title of this act upon said ballot the following:

- ☐ For the above amendment.
- ☐ Against the above amendment.

The elector shall designate his preference for either of these propositions by making an "X" in the square before the proposition for which he desires to vote.

Section 4. The votes cast for and against the amendment herein proposed shall be counted, canvassed, and determined by such officials and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment, the Governor of the state shall so declare by public proclamation, and said amendment shall be in full force and effect as a part of the constitution from and after the date of such proclamation.

Section 5. All acts or parts of acts in conflict with this act are hereby repealed.

House Bill No. 156 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 80.

Noes: Daniels, Loughran, Powell. Total 3.

Absent and not voting: Barrett, Barnard, Broeder, Corcoran, Fjare, Gill, McGaffick, Nees, Picard. Total 9.

Excused: Battin, Lees. Total 2.

House Bill No. 164 failed to pass by the following vote:

Ayes: Anderson, Bashor, Casey, Cavan, Cerovski, Curry, Emmons, Felt, Glancy, Gleed, Harball, Hawks, Healy, Higham, Jensen, Kiff, Kvaalen, Langston, Leuthold, Loman, McGaffick, McNally, Mernin, Morrison, Nichols, Page (Granite), Parker, Picard, Powell, Powers, Regan, Shea, Sheehy, Sheldon, Strnisha, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 40.

Noes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barnes, Bentz, Bradford, Clowes, Daniels, Devier, DeWolfe, Elting, Eskildsen, Fjare, Fladager, Gilfeather, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Holding, Holecek, Holtz, Howard, Jardine, Karlberg, Kolar, McGarvey, McOmber, Nees, Nelstead, Page (Missoula), Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Sheldon, Tonner, Walton. Total 42.

Absent and not voting: Barrett, Barnard, Broeder, Corcoran, Gerard, Gill, Loughran, Moudree, Paulsen, Woodring. Total 10.

Excused: Battin, Lees. Total 2.

House Bill No. 191 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 83.

Noes: Angstman, Elting, Felt, Sales. Total 4.

Absent and not voting: Barrett, Barnard, Corcoran, Gerard, Loughran, Moudree. Total 6.

Excused: Battin. Total 1.

House Bill No. 220 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, McNally, McOmber, Mernin, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 83.

Noes: Angstman, Morrison. Total 2.

Absent and not voting: Barnard, Corcoran, Gerard, Glancy, Loman, Loughran, McGaffick, McGarvey. Total 8.

Excused: Battin. Total 1.

House Bill No. 251 failed to pass by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bentz, Broeder, Cavan, Cerovski, Elting, Felt, Fjare, Fladager, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Lees, Leuthold, Mernin, Morrison, Nees, Nelstead, Page (Granite), Page (Missoula), Paulsen, Reeder, Regan, Reinecke, Rindy, Sales, Walton, Wood, Wright. Total 38.

Noes: Abel, Angstman, Bardanouve, Barrett, Barnes, Bashor, Casey, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, McGarvey, McNally, McOmber, Moudree, Nichols, Parker, Powell, Powers, Raundal, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Woodring, Wold, Mr. Speaker. Total 47.

Absent and not voting: Barnard, Bradford, Corcoran, Gerard, Loman, Loughran, McGaffick, Picard. Total 8.

Excused: Battin. Total 1.

House Bill No. 277 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barnes, Bashor,

Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Barrett, Mr. Speaker. Total 84.

Noes Angstman, Holecek, Langston, Parker, Powell, Sales. Total 6.

Absent and not voting: Barnard, Cerovski, Gerard. Total 3.

Excused: Battin. Total 1.

House Bill No. 448 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 87.

Noes: Angstman, Holecek, Langston, Wright. Total 4.

Absent and not voting: Cerovski, Gerard. Total 2.

Excused: Battin. Total 1.

House Bill No. 511 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 89.

Noes: Holecek. Total 1.

Absent and not voting: Fladager, Gerard, Powell. Total 3.

Excused: Battin. Total 1.

House Bill No. 359 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Jardine, Jensen, Karlberg, Kolar, Kvaalen,

Langston, Lees, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Nichols, Page (Granite), Parker, Powell, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 74.

Noes: Babcock, Bentz, Broeder, Corcoran, Fjare, Fladager, Haines (Missoula), Hawks, Howard, Kiff, Leuthold, Morrison, Nelstead, Page (Missoula), Paulsen, Reinecke, Sales. Total 17.

Absent and not voting: Gerard, Picard. Total 2.

Excused: Battin. Total 1.

House Bill No. 522 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bentz, Bradford, Broeder, Casey, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wright, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 79.

Noes: Anderson, Angstman, Bashor, Cavan, Cerovski, Corcoran, Elting, Felt, Hanks, Kolar, Mernin. Total 11.

Absent and not voting: Gerard, McGaffick, Parker. Total 3.

Excused: Battin. Total 1.

Senate Amendments to House Bill No. 159 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Barrett, Barnard, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Rindy, Sales, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 73.

Noes: Curry, Eskildsen, Fladager, Haines (Prairie), Jardine, Kiff, McGaffick, Shea, Sheehy. Total 9.

Absent and not voting: Bardanouve, Barnes, Cerovski, Gerard, Gilfeather, Langston, Moudree, Powell, Reinecke, Schwinden, Shelden. Total 11.

Excused: Battin. Total 1.

Motion was made by Cerovski that the House recess until 7:30 p.m. this day. Motion carried.

House recessed.

EVENING SESSION

House resumed.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 66, respectfully report as follows: That House Bill No. 66 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 83, respectfully report as follows: That House Bill No. 83 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 145, respectfully report as follows: That House Bill No. 145 be amended as follows:

In line 6 of section 3 of page 2 of the original bill by inserting a "." after the word "it";

In line 6, line 7, line 8 of section 3 of page 2 of the original bill by deleting the following words "and to coordinate the interpretation and administration of this act with the related federal regulation.";

Be further amended in section 13, subsection 8 in line 12, line 13, and line 14 of page 27 of the original bill by deleting the following sentence, "The commissioner shall have power at any time by written order to withdraw the exemption so granted as to any particular security."

Be further amended in section 24, subsection 1 in line 22, line 23, line 24, line 25, line 26, line 27 and line 28 of page 38 of the original bill by deleting the following sentence, "In prescribing rules and forms the commissioner may cooperate with the securities administrators of the other states and the Securities and Exchange Commission with a view to effectuating the policy of this act to achieve maximum uniformity in the form and content of registration statements, applications, and reports wherever practicable.";

And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 226, respectfully report as follows: That House Bill No. 226 be amended as follows:

In the title in line 9 of page 1 of the original bill following the word "peace" by inserting the words "in the first and second class counties";

Be further amended in line 23 of page 1 of the original bill following the word "peace" by inserting the following words "in the first and second class counties";

And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 233, respectfully report as follows: That House Bill No. 233 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 261, respectfully report as follows: That House Bill No. 261 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 290, respectfully report as follows: That House Bill No. 290 be amended as follows:

Amend the title in line 21 of page 1 of the original bill following the word "clause" by deleting the words "and a";

Amend the title further in line 22 of page 1 of the original bill by deleting the words "repealing clause";

And further amend in line 22 and line 23 of page 16 of the original bill by striking section 17 in its entirety;

And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 291, respectfully report as follows: That House Bill No. 291 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 175, respectfully report as follows: That House Bill No. 175 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 192, respectfully report as follows: That House Bill No. 192 be amended as follows:

By inserting in the title, line 9 of the original bill after the word "system" and before the period "; and providing for an effective date";

And as amended, do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 194, respectfully report as follows: That House Bill No. 194 do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 256, respectfully report as follows: That House Bill No. 256 do not pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 293, respectfully report as follows: That House Bill No. 293 do not pass, but that

Substitute House Bill No. 293, introduced by the Committee on Education: A bill for an act entitled: "An act appropriating the sum of twenty thousand dollars (\$20,000.00) to the state examiner for the purpose of examining and auditing the books and accounts of the University of Montana system; providing that reports shall be made of such audit to the State Board of Education, and to the Thirty-seventh Legislative Assembly; providing that this appropriation is not subject to the budget act; and providing for an effective date."

Do pass.

BARRETT, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, and referred to the Committee on Printing:

Substitute House Bill No. 293, introduced by the Committee on Education: A bill for an act entitled: "An act appropriating the sum of twenty thousand dollars (\$20,000.00) to the state examiner for the purpose of examining and auditing the books and accounts of the University of Montana system; providing that reports shall be made of such audit to the State Board of Education, and to the Thirty-seventh Legislative Assembly; providing that this appropriation is not subject to the budget act; and providing for an effective date."

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 314 do pass.

That consideration of House Bill No. 317 be passed for the day.

That House Bill No. 320 do pass.

That House Bill No. 338 do pass.

That House Bill No. 360 do pass.

That House Bill No. 361 do pass.

That House Bill No. 362 do pass.

That House Bill No. 363 be amended in section 1, in line 6 of the printed bill, being line 15 of the original bill, after the word "fee" and before the word "according" by inserting the following: "based upon its total assets as shown by the statement to the superintendent of banks on the last call report of the preceding year,"

And as amended, do pass.

That House Bill No. 364 do pass.

That House Bill No. 365 do pass.

That House Bill No. 366 do pass.

That House Bill No. 367 do pass.

That House Bill No. 368 be amended in the title in line 4 of the printed bill, which is line 7 of the original bill, by deleting the words and figures "sixty dollars (\$60.00)" and inserting in lieu thereof the words and figures "forty-five dollars (\$45.00)";

Be amended further in section 1, in line 14 of the printed bill, being line 26 of the original bill, by deleting the words and figures "sixty dollars

(\$60.00)" and inserting in lieu thereof the words and figures "forty-five dollars (\$45.00)"

And as amended, do pass.

That House Bill No. 369 do pass.

That Sub. House Bill No. 385 do pass.

EMMONS, Chairman.

Motion was made by Emmons for adoption of the Committee of the Whole report.

Substitute motion was made by Barrett that House Bill No. 368 be segregated from the committee report.

Picard requested a Call of the House and asked for fifteen seconds, and a roll call vote to be entered in the Journal in full. There being a sufficient number of seconds, the Speaker ordered a Call of the House. After roll call, Gunderson moved that the Call of the House be dispensed with, progress having been reported. Motion carried. The following vote was taken:

Ayes: Anderson, Babcock, Barrett, Bashor, Cavan, Cerovski, Corcoran, Curry, Daniels, Devier, Eskildsen, Felt, Fjare, Gleed, Hawks, Higham, Holecek, Jardine, Kiff, Kolar, Langston, Leuthold, Loman, McGarvey, Morrison, Moudree, Nees, Nichols, Paulsen, Powell, Raundall, Regan, Schwinden, Walton, Woodring, Wright, Mr. Speaker. Total 37.

Noes: Aasheim, Angstman, Bardanouve, Barnes, Bentz, Bradford, Casey, Clowes, DeWolfe, Elting, Emmons, Fladager, Gilfeather, Gill, Gunderson, Haines (Missoula), Harball, Healy, Holding, Holtz, Howard, Jensen, Karlberg, Kvaalen, Lees, Loughran, McGaffick, McNally, McOmber, Mernin, Nelstead, Page (Granite), Page (Missoula), Parker, Picard, Powers, Reeder, Rindy, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold. Total 47.

Absent and not voting: Abel, Barnard, Broeder, Haines (Prairie), Hanks, Reinecke, Sales. Total 7.

Excused: Battin, Gerard, Glancy. Total 3.

Substitute motion by Barrett failed to carry. Motion by Emmons for adoption of the Committee of the Whole report carried. Report adopted.

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 472 do pass.

That House Bill No. 476 do pass.

That House Bill No. 489 do pass.

That House Joint Resolution No. 3 do pass.

That House Joint Resolution No. 4 do pass.

That House Bill No. 283 be amended in the title by adding after the

last words thereof, the following: "and containing a repealing clause."; And as amended, do pass.

That Senate Amendments to House Joint Memorial No. 2 be concurred in.

EMMONS, Chairman.

Motion was made by Emmons for adoption of the Committee of the Whole report.

Substitute motion was made by Bradford that House Bill No. 283 be segregated from the Committee report. Motion failed to carry.

Motion by Emmons carried. Committee of the Whole report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 474, respectfully report as follows: That House Bill No. 474 be amended as follows:

In line 27 of page 1 of the original bill following the word "corporation" by changing the "." to a ":" and adding thereafter the following words, "Provided, however, that this preference provision shall not be applicable when such bid exceeds the sum of fifty-thousand dollars (\$50,000)."

And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 475, respectfully report as follows: That House Bill No. 475 be amended as follows:

Amend the title in line 15 and line 16 of page 1 of the original bill by changing the word and figure "five (5)" to read the word and figure "one (1)";

And further amend in line 9 of page 2 of the original bill by changing the word and figure "five (5)" to read the word and figure "one (1)";

And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 301, respectfully report as follows: That House Bill No. 301 be amended as follows:

Amend the title by inserting in line 13 of page 1 of the original bill after the word "herewith" the following words: "to provide for an effective date and to provide that this act shall remain in full force and effect for the term of two years."

Amend section 2 by inserting in line 28 of page 1 of the original bill after the word "to" and before the word "seven" the words: "matter deleted" and further amend in line 28 of page 1 by inserting after the word "cents" and before the number "7" the words: "matter deleted."

Amend section 4 by striking out in line 24 of page 2 of the original bill after the word "after" the following words: "its passage and approval," and inserting in lieu thereof the words: "the first day of April, 1961 and shall remain in full force and effect until the first day of April 1963."

And as amended, do pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Education, having had under consideration House Bill No. 12, respectfully report as follows: That House Bill No. 12 do not pass.

BARRETT,
PARKER,
HOLTZ,
McGARVEY,
CASEY,
SHELDEN,
AASHEIM,
RAUNDAL,
WRIGHT,
KVAALLEN,
NEES.

Motion was made by Barrett for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Education, having had under consideration House Bill No. 12, respectfully report as follows: That House Bill No. 12 do pass.

CAVAN,
LEUTHOLD.

Substitute motion was made by Leuthold for adoption of the Minority Committee report.

Helding moved the previous question on all motions before the House. Motion carried.

Substitute motion for adoption of the Minority Committee report was before the House. Anderson asked for a roll call vote, the record thereof to be spread on the Journal in full, and requested a sufficient number of seconds. The required seconds rising, the following vote was taken:

Ayes: Anderson, Babcock, Barnard, Barnes, Bentz, Cavan, Cerovski, Corcoran, Elting, Felt, Fjare, Gleed, Gunderson, Harball, Hawks, Higham, Jensen, Kiff, Kolar, Lees, Leuthold, McOmber, Page (Granite), Powell, Powers, Regan, Reinecke, Rindy, Shea, Sheehy, Wayrynen, Wood, Wold. Total 33.

Noes: Aasheim, Angstman, Bardanouve, Barrett, Bashor, Bradford, Casey, Clowes, Curry, Daniels, Devier, Emmons, Eskildsen, Fladager, Gilfeather, Gill, Haines (Missoula), Hanks, Healy, Holding, Holecek, Holtz, Howard, Jardine, Karlberg, Kvaalen, Langston, Loman, McGaffick, McGarvey, McNally, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Raundal, Reeder, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wright, Mr. Speaker. Total 51.

Absent and not voting: Abel, Broeder, DeWolfe, Haines (Prairie), Loughran, Picard, Woodring. Total 7.

Excused: Battin, Gerard, Glancy. Total 3.

Substitute motion failed to carry. Motion for adoption of the Majority report carried. Majority report adopted.

THIRD READING OF HOUSE BILLS

Senate Amendments to House Joint Memorial No. 2 were concurred in by the following vote, the amendments first being read:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes,

Corcoran, Curry, Devier, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Gill, Gleed, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nelstead, Nichols, Page (Granite), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Toner, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 79.

Noes: Haines (Missoula), Page (Missoula), Sales. Total 3.

Absent and not voting: Abel, Broeder, Daniels, DeWolfe, Haines (Prairie), Moudree, Nees, Walton, Woodring. Total 9.

Excused: Battin, Gerard, Glancy. Total 3.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 44, 155, 187, 215, 221, 231, 241, 236 and 407.

PARKER, Chairman.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Saturday, February 14, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FORTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 14, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Aasheim, Battin, Nees and Wold, who were excused.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 170, respectfully report as follows: That House Bill No. 170 be amended as follows:

Amend in line 5 in the title of the original bill after "1947," by inserting the words "removing the county superintendent of schools from the board of trustees of county high schools,";

Amend section 1, line 25, after the comma by striking the words "one of whom shall be the county superintendent of schools of the county wherein such county school is located, and six of whom" and inserting in lieu thereof the word "who";

Amend section 2, line 3, page 2 of the original bill by striking "The county superintendent of schools shall be a member of the board of county high school trustees of the county throughout his term of office as county superintendent.";

And further amend section 2, line 9 by inserting after the comma after the word "year" the words "which two" and further amend line 9 by inserting after the word "and" and before the word "for" the words "which three";

And further amend line 10 by striking "Thereafter, two trustees will be elected annually, for three year terms, in addition to the election of such trustees as may be necessary to fill vacancies." and inserting in lieu thereof the following words "Thereafter, at each annual election trustees will be elected to fill the expired terms.";

Further amend by striking the first "the" in line 13, page 2, and inserting in lieu thereof "at the option of the county superintendent of schools the" and further amend line 14 by striking the words "subsequent elections" and inserting in lieu thereof "otherwise such election" and further amend line 15 by inserting after the comma after the word "April" the figures "1960 and on each first Saturday in April thereafter,"

And as amended, do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 504, respectfully report as follows: That House Bill No. 504 do pass.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Conservation, having had under consideration House Bill No. 260, respectfully report as follows: That House Bill No. 260 do not pass, but that

Substitute House Bill No. 260, introduced by Committee on Irrigation and Water Conservation: A bill for an act entitled: "An act relating to the creation of a board of control to operate, manage, supervise and maintain the operations of one or more irrigation districts; providing for membership, terms of office, bond, and compensation; providing for, and deposit of funds, records and inspection; providing for withdrawal of districts, allowing for the hiring of a manager or managers; purpose of this act; and providing for an effective date."

Do pass.

McOMBER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 15, respectfully report as follows: That Senate Bill No. 15 be concurred in.

KARLBERG, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 13, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 165 by Bovey.

Senate Bill No. 58 by Dussault, Brenner.

Senate Bill No. 142 by Committee on Agriculture.

Senate Bill No. 201 by Dussault (by request).

Senate Substitute for Senate Bill No. 197 by Committee on Highways and Transportation.

Senate Bill No. 132 by Grant.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate,

February 13, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill and House Joint Memorial were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 135 by Battin, Morrison.

House Joint Memorial No. 1 by Wood et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate,

February 13, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 20 by Holding et al.

House Bill No. 318 by Holtz et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate,

February 13, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Memorial was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the House:

House Joint Memorial No. 10 by Abel et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate,

MOTIONS AND RESOLUTIONS

Motion was made by McGarvey that the House reconsider its previous

action in adopting a favorable committee report on House Bill No. 354. Motion carried.

Motion was made by McGarvey that further consideration of House Bill No. 354 be indefinitely postponed. Motion carried.

Motion was made by Wood that the Committee on Highways and Highway Transportation be granted additional time for the consideration of House Bill No. 269. Substitute motion was made by Glead that House Bill No. 269 be taken from the Committee on Highways and Highway Transportation, printed, and placed on General Orders. Substitute motion carried.

Motion was made by Healy that the Senate be requested to return to the House, Senate Bill No. 30. Motion carried.

Barrett moved that House Joint Resolution No. 3 be taken from engrossing and placed on General Orders. Motion carried.

Sheehy moved that House Bill No. 286 be taken from General Orders and rereferred to the Committee on Judiciary. Motion carried.

Clowes moved that Substitute House Bill No. 125, now on General Orders, be passed for the day. Motion carried.

The Speaker signed Senate Substitute for Senate Bill No. 8 in open session, the title having first been read.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Substitute House Bill No. 260, introduced by the Committee on Irrigation and Water Conservation: A bill for an act entitled: "An act relating to the creation of a board of control to operate, manage, supervise and maintain the operations of one or more irrigation districts; providing for membership, terms of office, bond, and compensation; providing for, and deposit of funds, records and inspection; providing for withdrawal of districts, allowing for the hiring of a manager or managers; purpose of this act; and providing for an effective date." Referred to Committee on Printing.

Senate Bill No. 165, introduced by Bovey: A bill for an act entitled: "An act to amend section 53-623, Revised Codes of Montana, 1947, relating to violation of act which regulates additional fees on vehicles—penalty—excess weight—unloading or payment of deficiency; providing that the gross laden weight of a vehicle shall not exceed the gross weight marked upon the vehicle or exceed the gross weight shown on the owner's certificate of registration and tax receipt pursuant to section 53-107, Revised Codes of Montana, 1947, as amended, or as is shown on the gross weight receipt pursuant to section 53-620, Revised Codes of Montana, 1947; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 58, introduced by Dussault, Brenner: A bill for an act entitled: "An act to amend section 66-1806, of the Revised Codes of Montana, 1947, relating to fees for examination of applicants for certificates of certified public accountant; providing for a fee of thirty dollars for examination, and after failure of an applicant to pass, a fee of five dollars for each section of each additional examination taken by the applicant; and containing a repealing clause." Referred to Committee on Banking and Insurance.

Senate Bill No. 142, introduced by Committee on Agriculture, Rice

(Chairman): A bill for an act entitled: "An act to amend section 60-202, Revised Codes of Montana, 1947, as amended by chapter 96, laws of 1957, relating to the license fees of petroleum products dealers by deleting the word 'retail'; providing a license fee for lubricating oil and grease measuring devices; providing a license fee for butane, propane or any liquefied petroleum gas meters 2½" or under; containing a repealing clause and effective date." Referred to Committee on Agriculture, Dairying and Horticulture.

Senate Bill No. 201, introduced by Dussault (by request): A bill for an act entitled: "An act adopting and inserting as a new chapter 2601 in title 93, Revised Codes of Montana, 1947, the uniform reciprocal enforcement of support act as amended by the national conference of commissioners on uniform states laws in 1948; providing additional remedies for enforcement of duties of support; providing for criminal enforcement by extradition; providing for civil enforcement where parties reside in different states or in different counties of Montana; providing for registration and enforcement of foreign support orders and support orders issued in different counties of Montana; and repealing sections 94-901 to 94-901-18, inclusive, of the Revised Codes of Montana, 1947." Referred to Committee on Judiciary.

Senate Substitute for Senate Bill No. 197, introduced by Highways and Transportation Committee: A bill for an act entitled: "An act to amend chapter 20, title 32, of the Revised Codes of Montana, 1947, by adding thereto a new section to be numbered 32-2009.1; providing that no commercial enterprise or structure shall be constructed, located or operated within the limits of a right of way or a controlled access facility; and containing a repealing clause." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 132, introduced by Grant: A bill for an act entitled: "An act to amend section 26-703, Revised Codes of Montana, 1947, as amended by chapter 182, laws of 1947, relating to the shipping of fish, game animals, game birds, fur bearing animals from the State of Montana by nonresidents and authorizing the shipment thereof by shipping permits; and containing a repealing clause." Referred to Committee on Fish and Game.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, the appropriation measure at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 44 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Glancey, Glead, Gunderson, Haines (Prairie), Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McOmber, Mernin, Morrison, Nelstead, Nichols, Page (Granite), Paulsen, Picard, Powell, Reeder, Regan, Rindy, Sales, Sheehy, Shelden, Sheldon, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Page (Missoula), Mr. Speaker. Total 66.

Noes: Barnes, Bashor, Cerovski, Curry, Daniels, Haines (Missoula), Hanks, Jardine, McGarvey, McNally, Moudree, Parker, Raundal, Schwinden, Total 14.

Absent and not voting: Barrett, Fjare, Gilfeather, Gill, Kvaalen, McGaffick, Powers, Reinecke, Shea, Strnisha. Total 10.

Excused: Aasheim, Battin, Nees, Wold. Total 4.

House Bill No. 155 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Barrett, Barnard, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Gerard, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecck, Holtz, Howard, Jardine, Karlberg, Kiff, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McOmber, Mernin, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Sales, Sheehy, Sheldon, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 71.

Noes: Bardanouve, Barnes, Eskildsen, Fladager, Jensen, Kolar, McNally, Moudree, Raundal, Rindy, Schwinden. Total 11.

Absent and not voting: Fjare, Gilfeather, Gill, Kvaalen, McGaffick, Shea, Shelden, Strnisha. Total 8.

Excused: Aasheim, Battin, Nees, Wold. Total 4.

House Bill No. 187 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecck, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 81.

Noes: None.

Absent and not voting: Fjare, Gilfeather, Gill, Kvaalen, McGaffick, Moudree, Powell, Shea, Strnisha. Total 9.

Excused: Aasheim, Battin, Nees, Wold. Total 4.

House Bill No. 215 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecck, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 83.

Noes: Jardine. Total 1.

Absent and not voting: Fjare, Gilfeather, Gill, Loughran, McGaffick, Shea. Total 6.

Excused: Aasheim, Battin, Nees, Wold. Total 4.

House Bill No. 221 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Bar-

nard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Fjare, Gilfeather, Gill, McGaffick, Shea. Total 5.

Excused: Aasheim, Battin, Nees, Wold. Total 4.

House Bill No. 231 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wright, Mr. Speaker. Total 81.

Noes: None.

Absent and not voting: Eskildsen, Gilfeather, Gill, Picard, Powell, Powers, Shea, Sheldon, Woodring. Total 9.

Excused: Aasheim, Battin, Nees, Wold. Total 4.

House Bill No. 241 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Daniels, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Higham, Holecek, Holtz, Jardine, Jensen, Karlberg, Kiff, Kolar, Lees, Leuthold, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Powers, Regan, Reinecke, Rindy, Schwinden, Sheehy, Sheldon, Tonner, Walton, Wayrynen, Wood, Woodring, Mr. Speaker. Total 68.

Noes: Angstman, Bashor, Clowes, Corcoran, Devier, Gleed, Hanks, Holding, Howard, Kvaalen, McGarvey, Parker, Raundal, Reeder, Sales, Sheldon, Strnisha, Wright. Total 18.

Absent and not voting: Gilfeather, Langston, Loman, Shea. Total 4.

Excused: Aasheim, Battin, Nees, Wold. Total 4.

House Bill No. 236 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Curry, Daniels,

Devier, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheehy, Sheldon, Stnisha, Tonner, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 74.

Noes: Angstman, Broeder, Corcoran, Gleed, Haines (Prairie), Jardine, Kolar, Moudree, Sales, Walton, Powell. Total 11.

Absent and not voting: DeWolfe, Langston, McGaffick, Picard, Shea. Total 5.

Excused: Aashiem, Battin, Nees, Wold. Total 4.

House Bill No. 407 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Stnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: McGaffick, Shea. Total 2.

Excused: Aasheim, Battin, Nees, Wold. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Nichols of Ravalli in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 182 do pass.

That consideration of House Bill No. 208 be passed for the day.

That the enacting clause be stricken from House Bill No. 210.

That consideration of House Bill No. 185 be passed for the day.

That House Bill No. 247 do pass.

That House Bill No. 248 do pass.

That House Bill No. 249 do pass.

That House Bill No. 272 do pass.

That consideration of House Bill No. 317 be passed for the day.

That House Bill No. 378 be amended in the title by adding after the last words thereof, the following: "containing a repealing clause," and as amended, do pass.

That House Bill No. 415 do pass.

That House Bill No. 425 do pass.

NICHOLS, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 54, 154, 225, 244, 250, 254, 276, 295, 296, 370, 377, 379, 381, 412, 435, 471, Sub. H. B. 426 and House Joint Memorial No. 12, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 314, 320, 360, 361, 362, 364, 365, 366, 367, 369, 472, and House Bills Nos. 338, Sub. 385, 476, 489 considered correctly engrossed.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 211, respectfully report as follows: That House Bill No. 211 do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 333, respectfully report as follows: That House Bill No. 333 do not pass, but that

Substitute House Bill No. 333, introduced by Committee on Workmen's Compensation: A bill for an act entitled: "An act to amend certain provisions of the Montana Workmen's Compensation Law; amending sections 92-701, 92-702, 92-703, 92-704, and 92-709, Revised Codes of Montana, 1947; as last amended by chapter 234, Montana Session Laws of 1957; all relating to compensation for injuries by increasing compensation in cases of temporary total, permanent total, and partial disability, and for injuries causing death, and certain specific loss injuries; repealing sections 92-705 of the Revised Codes of Montana, 1947, relating to burial expenses and 92-706 of the Revised Codes of Montana, 1947, relating to medical care, hospitalization and treatment; providing for payment of burial expenses; providing for medical and hospital services and such other treatment as approved by the board; and amending section 92-707, Revised Codes of Montana, 1947, as last amended by chapter seven, Montana Session Laws of 1949, reducing the waiting period; amending section 92-708, Revised Codes of Montana, 1947, as last amended by chapter 253, Montana Session Laws

1955, removing restrictive language in consecutive payment of compensation; repealing conflicting acts; providing an effective date."

Do pass.

McGARVEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 382, respectfully report as follows: That House Bill No. 382 do pass.

TONNER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 349, respectfully report as follows: That House Bill No. 349 be amended as follows:

Be amended in lines 6 and 7 of the title of the original bill, page 1, by inserting a semicolon (;) following the word "areas" on page 1, line 6, and striking "and the imposition of a tax levy by the board of county commissioners in connection therewith";

By striking in section 1, line 4, page 2 of the original bill, the following underlined portion: "at the time of levying taxes for other county purposes, the Board of County Commissioners may levy each year a tax not exceeding two (2) mills on each dollar of the taxable valuation of the county, which tax may be levied in excess of the mill limit fixed by law for taxes for general purposes, said tax to be used for the actual necessary expenses of the Board of County Park Commissioners, including acquisition, construction, improvement, repair, operation and maintenance of park and recreational areas and facilities under the jurisdiction, supervision, control and management of the Board of County Park Commissioners. Provided, however, that eighty percent (80%) of the taxes paid pursuant to the provisions of this act shall be allocated back for the uses and purposes as herein provided to the district from which it was received. This levy will not apply to cities and towns which already have a park levy."

And as amended, do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 350, respectfully report as follows: That House Bill No. 350 do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 396, respectfully report as follows: That House Bill No. 396 be referred to the Committee on Appropriations with the recommendation that the same do pass.

McGARVEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 413, respectfully report as follows: That House Bill No. 413 do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under

consideration House Bill No. 441, respectfully report as follows: That House Bill No. 441 be amended as follows:

Amend the title in line 13 of page 1 of the original bill by striking the words "three-fifths" and substituting in lieu thereof the words "a majority";

Further amend in section 1, paragraph 6 (a) in line 24 of page 3 of the original bill by striking the words and figures "three-fifths (3/5)" and inserting in lieu thereof the words "a majority";

Amend in line 24 of page 3 of the original bill by striking the words "of the",

And as amended, do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 486, respectfully report as follows: That House Bill No. 486 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 512, respectfully report as follows: That House Bill No. 512 do not pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 513, respectfully report as follows: That House Bill No. 513 do not pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 520, respectfully report as follows: That House Bill No. 520 do not pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Judiciary, having had under consideration House Bill No. 482, respectfully report as follows: That House Bill No. 482 do not pass.

DANIELS,
JARDINE,
McGARVEY.

Motion was made by Daniels for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Judiciary, having had under consideration House Bill No. 482, respectfully report as follows: That House Bill No. 482 do pass.

FELT,
ANDERSON.

Substitute motion was made by Felt for adoption of the Minority Committee report. Felt requested a roll call vote and asked for the requisite number of seconds, and that the results of said vote be spread on the

Journal in full. A sufficient number of seconds rising, the Speaker ordered a roll call vote:

Ayes: Anderson, Angstman, Babcock, Bashor, Bentz, Broeder, Cavan, Corcoran, Elting, Felt, Fjare, Fladager, Gerard, Glead, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Reinecke, Sales, Walton, Wright. Total 35.

Noes: Abel, Bardanouve, Barrett, Barnard, Bradford, Casey, Cerovski, Clowes, Curry, Daniels, Devier, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Loughran, McGaffick, McGarvey, McNally, McOmber, Mermin, Morrison, Moudree, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Shea, Sheehy, Sheldon, Tonner, Wayrynen, Wood, Woodring, Shelden, Mr. Speaker. Total 51.

Absent and not voting: Barnes, DeWolfe, Regan, Strnisha. Total 4.

Excused: Aasheim, Battin, Nees, Wold. Total 4.

Substitute motion by Felt failed to carry. Original motion by Daniels carried. Majority Committee report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 139, respectfully report as follows: That House Bill No. 139 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 199, respectfully report as follows: That House Bill No. 199 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 239, respectfully report as follows: That House Bill No. 239 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 330, respectfully report as follows: That House Bill No. 330 be amended as follows:

Amend the title in line 21 by changing the period to a semicolon ";," and adding the following to the title: "To amend section 82-1111, Revised Codes of Montana, 1947, relating to disapproval of claims by deleting the requirement for filing of disapproved claims by the State Board of Examiners and making provision for such filing by the state controller; to amend section 82-1120, Revised Codes of Montana, 1947, to provide that the state auditor may draw warrants for claims approved by the State Board of Examiners or the state controller as provided by law; and to amend section 82-1905, Revised Codes of Montana, 1947, to provide that the state auditor may draw warrants for contracts or purchases approved by the State Board of Examiners or state controller as provided by law."

Further amend page 4 of the original bill by adding the following sections: Section 7. Section 82-1111, Revised Codes of Montana, 1947, is hereby amended to read as follows: "82-1111. (240) Disapproval of claims. If the (matter deleted) state controller disapproves such claim, (matter deleted) he must cause the same to be filed with the records of (matter

deleted) his department, with a statement showing such disapproval and the reasons therefor."

Section 8. Section 82-1120, Revised Codes of Montana, 1947, is hereby amended to read as follows: "82-1120. (249) Auditor not to draw warrant for claims not audited. The state auditor must not draw his warrant for any claim unless it has been approved by the (matter deleted) State Board of Examiners or state controller as provided by law, except for salaries or compensation of officers fixed by law."

Section 9. Section 82-1905, Revised Codes of Montana, 1947, is hereby amended to read as follows: "82-1905. (288). Payment for purchases by state agent. All valid claims on account of such contract and purchases negotiated by the state purchasing agent shall be audited and paid from the sums severally set aside for the use of the state purchasing department by the contract and purchase estimate or requisition upon the sworn statement of the executive officer of the department, commission, board, or institution, or the state official in control of the appropriation or fund, together with the sworn statements of the state purchasing department, and said sworn statements of said executive officer and state purchasing department, after approval by the State Board of Examiners or the state controller as provided by law shall be full and sufficient authority for the state auditor to draw his warrant and the treasurer to pay the same against any appropriation or fund in the treasury available for the purpose of any such contract and purchase."

And as amended, do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 336, respectfully report as follows: That House Bill No. 336 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 375, respectfully report as follows: That House Bill No. 375 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 376, respectfully report as follows: That House Bill No. 376 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 398, respectfully report as follows: That House Bill No. 398 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 424, respectfully report as follows: That House Bill No. 424 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had

under consideration House Bill No. 466, respectfully report as follows: That House Bill No. 466 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 467, respectfully report as follows: That House Bill No. 467 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 468, respectfully report as follows: That House Bill No. 468 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 255, respectfully report as follows: That House Bill No. 255 be amended as follows:

Amend the title in line 7 after the word "purposes" and before the period by inserting the following: "; and containing a repealing clause and effective date."

Amend in line 24 of the original bill by deleting the words and figures "three thousand four hundred dollars (\$3,400.00)" and inserting in lieu thereof the words and figures "three thousand three hundred dollars (\$3,300.00)";

Amend in line 28, page 1, by deleting the words and figures "three thousand four hundred dollars (\$3,400.00)" and inserting in lieu thereof the words and figures "three thousand three hundred dollars (\$3,300.00)" and in line 29 by deleting the words and figures "one hundred fifty dollars (\$150.00)" and inserting in lieu thereof the words and figures "one hundred twenty-five dollars (\$125.00)";

Amend in line 32 by deleting the words and figures "forty-nine hundred dollars (\$4,900.00)" and inserting in lieu thereof the words and figures "forty-five hundred fifty dollars (\$4,550.00)" and further amend on page 2, line 1 by deleting the words and figures "four thousand dollars (\$4,000.00)" and inserting in lieu thereof the words and figures "forty-one hundred dollars (\$4,100.00)";

Further amend on line 3, page 2 by deleting the words and figures "forty-nine hundred dollars (\$4,900.00)" and inserting in lieu thereof the words and figures "forty-five hundred fifty dollars (\$4,550.00)";

Further amend by deleting the period in line 4, page 2, substituting a comma therefor and adding after the comma the words and figures "plus fifty dollars (\$50.00) for an ANB over eighteen (18), and not to exceed and ANB over twenty-five (25)";

Further amend in lines 10 and 11 of page 2 by deleting the words and figures "three hundred thirty dollars (\$330.00)" and inserting in lieu thereof the words and figures "three hundred twenty dollars (\$320.00)";

Further amend line 11 by deleting the words and figures "sixty cents (\$0.60)" and inserting in lieu thereof the words and figures "sixty-five cents (\$0.65)";

Further amend in line 15 by deleting the words and figures "ten thousand one hundred dollars (\$10,100.00)" and inserting in lieu thereof the words and figures "ten thousand two hundred fifty dollars (\$10,250.00)";

Amend in line 17 by deleting the words and figures "two hundred ninety-four dollars (\$294.00)" and inserting in lieu thereof the words and figures two hundred eighty-one dollars (\$281.00)";

Amend in line 18 by deleting the words and figures "thirty cents (\$0.30)" and inserting in lieu thereof the words and figures "twenty-nine cents (\$0.29)";

Amend lines 20 and 21 by deleting the words and figures "two hundred thirty-four dollars (\$234.00)" and inserting in lieu thereof the words and figures "two hundred twenty-three dollars (\$223.00)";

Amend in lines 29 and 30 by deleting the words and figures "five hundred fifty-eight dollars (\$558.00)" and inserting in lieu thereof the words and figures "five hundred thirty dollars (\$530.00)";

Amend on page 3, line 2 by deleting the words and figures "five hundred fifty-eight dollars (\$558.00)" and inserting in lieu thereof the words and figures "five hundred thirty dollars (\$530.00)";

Amend in line 3 by deleting the words and figures "two dollars and fifty cents (\$2.50)" and inserting in lieu thereof the words and figures "two dollars and sixty cents (\$2.60)";

Amend in line 6 by deleting the words and figures "four hundred eight dollars (\$408.00)" and inserting in lieu thereof the words and figures "three hundred seventy-four dollars (\$374.00)";

Amend line 7 by deleting the words and figures "sixty-eight cents (\$0.68)" and inserting in lieu thereof the words and figures "sixty-five cents (\$0.65)" and to further amend in lines 9, 10 and 11 by deleting the words and figures "three hundred forty dollars (\$340.00)" and inserting in lieu thereof the words and figures "three hundred nine dollars (\$309.00)" and by deleting the words and figures "twenty cents (\$0.20)" and inserting in lieu thereof the words and figures "ten cents (\$0.10)";

Further amend in lines 13 and 14 by deleting the words and figures "three hundred twenty dollars (\$320.00)" and inserting in lieu thereof the words and figures "two hundred ninety-nine dollars (\$299.00)" and deleting the words and figures "eight cents (\$0.08)" and inserting in lieu thereof the words and figures "five cents (\$0.05)" and to further amend line 17 by deleting the words and figures "two hundred seventy-two dollars (\$272.00)" and inserting in lieu thereof the words and figures "two hundred sixty-nine dollars (\$269.00)";

And as amended, do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Judiciary, having had under consideration House Bill No. 264, respectfully report as follows: That House Bill No. 264 do not pass.

DANIELS,
ANDERSON,
JARDINE,
HELDING,
HARBALL.

Motion was made by Daniels for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Judiciary, having

had under consideration House Bill No. 264, respectfully report as follows: That House Bill No. 264 do pass.

BRADFORD,
GILFEATHER,
SHEEHY,
MORRISON,
FELT.

Substitute motion was made by Bradford for adoption of the Minority Committee report. Substitute motion lost. Original motion by Daniels carried. Majority Committee report adopted.

Mr. Speaker: We, the Majority of your Committee on Judiciary, having had under consideration House Bill No. 71, respectfully report as follows: That House Bill No. 71 do not pass.

GILFEATHER,
MORRISON,
BRADFORD,
HARBALL,
DANIELS.

Motion was made by Gilfeather that the Majority Committee report be adopted.

Mr. Speaker: We, the Minority of your Committee on Judiciary, having had under consideration House Bill No. 71, respectfully report as follows: That House Bill No. 71 be amended as follows:

In line 19, line 20, and line 21 of page 1 of the original bill by striking after the word "case" the following words: "; provided, however, that whenever the hearing in the juvenile court is had on a written petition charging the commission of any traffic offense or liquor offense the general public shall not be excluded from such hearing." and inserting in lieu thereof the following "(matter deleted) Representatives of the newspaper, radio, and television shall be admitted to all hearings held on written petitions charging the commission of an offense which, if charged against an adult, would constitute a felony; provided further that whenever the hearing in the juvenile court is had on a charge of the commission of any traffic offense the general public shall not be excluded from such hearing."

And be further amended in line 27, line 28, and line 29 of page 2 of the original bill after the "," following the word "children" by striking the following words: "except where a hearing or proceeding is had in the court on a written petition charging a traffic offense or a liquor offense." and inserting in lieu thereof the following: "(matter deleted) except where a hearing or proceeding is held on a written petition charging the commission of an offense which, if charged against an adult, would constitute a felony or whenever a hearing or proceeding is had before the court on a charge of a traffic offense."

And as amended, do pass.

ANDERSON,
FELT,
CEROVSKI,
GERARD.

Substitute motion was made by Anderson for adoption of the Minority Committee report.

Substitute motion for all motions pending was made by McGarvey that the original House Bill No. 71 be printed and placed on General Orders.

Wood moved the previous question on all motions pending. Motion carried.

Substitute motion for all motions pending, made by McGarvey, carried.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 138, respectfully report as follows: That House Bill No. 138, as amended by the Highway Committee, do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 217, respectfully report as follows: That House Bill No. 217 be amended as follows:

In Article D, section 3, page 14, line 31 of the original bill, after the word "system" and before the period, by inserting the following: "existing irrigation district, or other facility or works operated by a public body.";

Amend Article D, section 5, page 16, beginning on line 1 of the original bill, after the word "rights," by deleting the remainder of the section and inserting in lieu thereof the following: "A district may purchase and acquire real or personal property necessary or convenient to, and in connection with the construction, maintenance or operation of any such utilities; provided, that in any undertaking or work authorized to such districts, existing water rights are to be protected and not subject to condemnation, and the district may initiate a right to unappropriated waters in the same manner as the State Water Conservation Board. In any such undertaking the district shall consider the needs for any water resources affected thereby for all purposes, including, without limitation, power, flood control, irrigation, domestic water supply, wild life conservation, recreation and other purposes, and shall conform to all existing laws governing the maintenance and construction of works, including the provisions of the state laws with regard to protection of fish and game resources.";

Further amend Article D, section 7, page 17, line 17 of the original bill, after the word "issue," by deleting "general obligation or";

Further amend Article D, section 8, page 17, lines 28 and 29 of the original bill, after the word "year," by deleting "exclusive of interest and redemption for general obligation bonds" and inserting in lieu thereof "provided, such levy may be made only for initial financing of such district and shall not be a continuing levy, nor shall any funds so raised be used for operating finance of any district.";

Amend Article F, section 2, line 30, page 27 of the original bill, by deleting "general obligation bonds or";

Further amend Article F, section 4, page 29, lines 5 and 6 of the original bill, after the word "whatsoever," by deleting "including the charge or lien of any general obligation bonds";

Further amend Article F, page 33 of the original bill, beginning on line 1 by deleting sections 13, 14, 15 and 16 in their entirety, and inserting in lieu thereof the following: "Section 13. Limitations of issues. No district hereby authorized shall issue any general obligation bonds or warrants, and shall not be authorized to create any charge against or lien upon the taxable property included within such district excepting for the single two (2) mill levy authorized herein for initial financing only.";

Amend Article G, page 34 of the original bill, beginning on line 5, by

deleting sections 1, 2, 3, 4, 5, 6, 7 and 8 in their entirety and inserting in lieu thereof: "Section 1. Policy of act. It is the policy of this act that the finances of counties, school districts, municipal corporations, special improvement districts, and state government shall not be impaired by any exemption from taxation of district property, or the removal of taxable property from the tax rolls. Accordingly, the districts shall make payments in lieu of taxes, and pay privilege taxes as provided in section 2 hereof.

"Section 2. Payment in lieu of taxes. The districts shall make payments in lieu of property taxes with respect to real property and tangible personal property with fixed situs. On such property the district shall make payments at the same rate and in the same manner as if such property were privately owned, and the district shall have the same rights and obligations with respect thereto as such owners.

"additionally, the district shall make payment to the State of Montana of a tax for the act or privilege of engaging in the business of operating works, plants, or facilities for the generation, distribution and sale of electric energy, in the same amount and in accordance with the same requirements and procedures as are set forth in sections 84-1601 through 84-1609, Revised Codes of Montana, 1947, as amended; such being the Electrical Energy Producers Tax for Montana, provided, that any such payment shall not be less than 2% of the gross amount of money received on account of sales of electricity and electrical energy."

And as amended, do pass.

TONNER,
ESKILDSSEN,
WOLD,
LANGSTON,
RAUNDAL,
HARBALL,
BARDANOUVE,
REEDER.

Motion was made by Tonner for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 217, respectfully report as follows: That House Bill No. 217 be amended as follows:

In Article D, section 3, page 14, line 31 of the original bill, after the word "system" and before the period, by inserting the following: "existing irrigation district, or other facility or works operated by a public body.";

Further amend Article D, section 5, page 16, beginning on line 1 of the original bill, after the word "rights." by deleting the remainder of the section and inserting in lieu thereof the following: "A district may purchase and acquire real or personal property necessary or convenient to, and in connection with the construction, maintenance or operation of any such utilities; provided, that in any undertaking or work authorized to such districts, existing water rights are to be protected and not subject to condemnation, and the district may initiate a right to unappropriated waters in the same manner as the State Water Conservation Board. In any such undertaking the district shall consider the needs for any water resources affected thereby for all purposes, including, without limitation, power, flood control, irrigation, domestic water supply, wild life conservation, recreation and other purposes, and shall conform to all existing laws governing the maintenance and construction of works, including the provisions of the state laws with regard to protection of fish and game resources.";

Further amend Article D, section 7, page 17, line 17 of the original bill, after the word "issue," by deleting "general obligation or";

Further amend Article D, section 8, page 17, lines 28 and 29 of the original bill, after the word "year," by deleting "exclusive of interest and redemption for general obligation bonds" and inserting in lieu thereof: "provided, such levy may be made only for initial financing of such district and shall not be a continuing levy, nor shall any funds so raised be used for operating finance of any district.";

Amend Article F, section 2, line 30, page 27 of the original bill by deleting "general obligation bonds or";

Further amend Article F, section 4, page 29, lines 5 and 6 of the original bill, after the word "whatsoever," by deleting "including the charge or lien of any general obligation bonds";

Further amend Article F, page 33 of the original bill, beginning on line 1 by deleting sections 13, 14, 15 and 16 in their entirety, and inserting in lieu thereof the following: "Section 13. Limitations of issues. No district hereby authorized shall issue any general obligation bonds or warrants, and shall not be authorized to create any charge against or lien upon the taxable property included within such district excepting for the single two (2) mill levy authorized herein for initial financing only.";

Amend Article G, page 34 of the original bill, beginning on line 5 by deleting sections 1, 2, 3, 4, 5, 6, 7 and 8 in their entirety and inserting in lieu thereof: "Section 1. Policy of act. It is the policy of this act that the finances of counties, school districts, municipal corporations, special improvement districts, and state government shall not be impaired by any exemption from taxation of district property, or the removal of taxable property from the tax rolls. Accordingly, the districts shall make payments in lieu of taxes, and pay privilege taxes as provided in section 2 hereof.

"Section 2. Payments in lieu of taxes. The districts shall make payments in lieu of property taxes with respect to real property and tangible personal property with fixed situs. On such property the district shall make payments at the same rate and in the same manner as if such property were privately owned, and the district shall have the same rights and obligations with respect thereto as such owners.

"additionally, the district shall make payment to the State of Montana of a tax for the act or privilege of engaging in the business of operating works, plants, or facilities for the generation, distribution and sale of electric energy, in the same amount and in accordance with the same requirements and procedures as are set forth in sections 84-1601 through 84-1609, Revised Codes of Montana, 1947, as amended; such being the Electrical Energy Producers Tax for Montana, provided, that any such payment shall not be less than 2% of the gross amount of money received on account of sales of electricity and electrical energy."

And as amended, do not pass.

ANDERSON,
HOWARD,
LOMAN,
LOUGHRAN,
REGAN,
HAINES (Prairie),
KOLAR.

Substitute motion was made by Loman for adoption of the Minority Committee report.

Gerard requested a Call of the House, and asked for fifteen seconds.

A roll call vote was requested, with the results thereof to be spread upon the Journal. A sufficient number of seconds rising, the Speaker ordered a Call of the House. After completion of roll call, progress having been reported, Gerard moved the Call of the House be dispensed with. Motion carried.

Daniels moved the previous question on all motions pending. Motion carried.

Substitute motion by Loman carried by the following vote:

Ayes: Anderson, Angstman, Babcock, Bashor, Bentz, Broeder, Casey, Cavan, Corcoran, Curry, DeWolfe, Elting, Felt, Fjare, Gerard, Glancy, Glead, Haines (Prairie), Haines (Missoula), Hawks, Healy, Higham, Howard, Jardine, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, Morrison, Nelstead, Nichols, Page (Missoula), Paulsen, Picard, Powell, Regan, Reinecke, Sales, Shea, Sheehy, Walton, Wayrynen, Wright, Hanks. Total 48.

Noes: Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Cerovski, Clowes, Daniels, Devier, Emmons, Eskildsen, Gilfeather, Gill, Gunderson, Harball, Holding, Holecek, Holtz, Jensen, Karlberg, Langston, McGarvey, McNally, McOmber, Mernin, Moudree, Page (Granite), Parker, Powers, Raundal, Reeder, Rindy, Schwinden, Shelden, Sheldon, Tonner, Wood, Woodring, Mr. Speaker. Total 40.

Absent and not voting: Fladager, Strnisha. Total 2.

Excused: Aasheim, Battin, Nees, Wold. Total 4.

(Upon completion of the roll call vote, and the recording of same, request was made by Hanks that his vote be changed from no to aye. There being no objection, request was granted).

The Speaker requested the Speaker Pro-Tem Emmons to take the Chair.

Speaker Pro-Tem in the Chair.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 357, respectfully report as follows: That House Bill No. 357 do pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration House Bill No. 358, respectfully report as follows: That House Bill No. 358 do not pass, but that

Substitute House Bill No. 358, introduced by Committee on Social Security: A bill for an act entitled: "An act to amend sections 87-103, 87-104, Revised Codes of Montana, 1947, as last amended by chapter 140, session laws of 1957, and amending section 87-109, as last amended by chapter 171, Session Laws of Montana, 1957, relating to unemployment compensation; increasing maximum weekly benefit amounts; increasing minimum qualifying wages; increasing maximum duration of benefit payments; providing additional weeks benefits based on employee experience; restoring former classified contribution rates; increasing average percentage for such rates; increasing trust fund reserve ceiling; repealing conflicting acts; providing an effective date."

Do pass.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had

under consideration House Bill No. 414, respectfully report as follows: That House Bill No. 414 do not pass.

PARKER, Chairman.

Report adopted.

MESSAGE FROM THE SENATE

February 14, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that in compliance with your request we are returning the following Senate Bill to the House for further consideration:

Senate Bill No. 30 by Anderson (Lincoln) et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by MacDonald that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 12.

Anderson requested a Call of the House and asked for fifteen seconds. Anderson also requested a roll call vote, the results thereof to be spread on the Journal in full. The required number of seconds rising, the Speaker Pro-Tem ordered a Call of the House. Upon completion of roll call, Anderson moved that the Call of the House be dispensed with, progress having been reported. Motion carried.

Bradford moved the previous question on the motion before the House. A roll call vote was taken and the motion by MacDonald carried by the following vote:

Ayes: Anderson, Babcock, Barnard, Barnes, Bashor, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, DeWolfe, Elting, Emmons, Felt, Gerard, Glancy, Gleed, Gunderson, Harball, Hawks, Healy, Higham, Holtz, Jensen, Kiff, Lees, Leuthold, Loughran, McNally, McOmber, Mernin, Page (Granite), Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Woodring, Wright, Mr. Speaker. Total 52.

Noes: Abel, Angstman, Bradford, Curry, Devier, Fjare, Fladager, Gilfeather, Gill, Haines (Prairie), Haines (Missoula), Hanks, Holding, Jardine, Karlberg, Kolar, Kvaalen, Loman, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Sales, Schwinden, Walton, Wood. Total 28.

Absent and not voting: Bardanouve, Barrett, Daniels, Eskildsen, Holecek, Howard, Langston, McGaffick, McGarvey, Reeder. Total 10.

Excused: Aasheim, Battin, Nees, Wold. Total 4.

Motion was made by MacDonald that House Bill No. 12 be placed on General Orders. Motion carried.

Motion was made by Healy that the House reconsider its previous action in adopting an adverse committee report on Senate Bill No. 30. Motion carried.

Motion was made by Healy that Senate Bill No. 30 be rereferred to the Committee on Affairs of Cities. Motion carried.

February 13, 1959.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 5, 171, 184, 324, 329, 469, 479, 491, 519, Sub. Bills 297 and 312, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 247, 248, 249, 272, 283, 378, 425, 363, 368, and 415, 425 and House Joint Resolution No. 4 considered correctly engrossed.

PARKER, Chairman.

Motion was made by Cerovski that the House adjourn until 1:00 p.m., Sunday, February 15, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FORTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 15, 1959

House convened at 1:00 p.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Aasheim, Bentz, Jardine, Morrison, Regan, Woodring, Wold, and Nees, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-first Legislative Day, find the same to be correct.

ESKILDSEN, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 62, respectfully report as follows: That House Bill No. 62 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 131, respectfully report as follows: That House Bill No. 131 do not pass, but that

Substitute House Bill No. 131, introduced by MacDonald, Cerovski and Felt: A bill for an act entitled: "An act calling for the submission to the electors of State of Montana of a proposal for the calling of a convention to revise, alter or amend the Constitution of the State of Montana; and providing for the method of voting at such election."

Do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 137, respectfully report as follows: That House Bill No. 137 do not pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Constitutional Amendments and Federal Relations, having had under consideration House Bill No. 294, respectfully report as follows: That House Bill No. 294 do not pass, but that

Substitute House Bill No. 294, introduced by Fladager, Wood, Nestead, Wright: A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to section 5 of article XI of the Constitution of the State of Montana to provide for a state land equalization figure to consist of twenty per cent (20%) of receipts from grazing and agricultural rentals of state-owned lands, to provide for payment of these receipts by the state to the counties to be pro-rated by the counties to school districts according to the percentage of state lands within the local school district."

Be amended as follows:

Amend by inserting in line 29, page 1 of the original substitute bill after the word "lands" and before the word "and" the following "for grazing and agricultural purposes";

And as amended, do pass.

LOUGHRAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 344, respectfully report as follows: That House Bill No. 344 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 374, respectfully report as follows: That House Bill No. 374 do not pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration House Bill No. 397, respectfully report as follows: That House Bill No. 397 do not pass, but that

Substitute House Bill No. 397, introduced by the Committee on Workmen's Compensation: A bill for an act entitled: "An act to provide for workmen's compensation coverage for silicosis disease disabilities caused by employment; amending section 92-418, Revised Codes of Montana, 1947, defining injury; permitting elective coverage for disease other than silicosis and diseases caused by silica dust; amending section 92-601, Revised Codes of Montana, 1947, providing for time within which claims must be presented; amending section 92-807, Revised Codes of Montana, 1947, relating to notice; providing a new section for protection of present employees; providing a new section for apportionment of compensation where employer can establish that a portion of the disease disability was incurred in other employment; providing apportioned payment from a special disability fund where no previous and responsible employment can be assessed; providing an effective date; repealing conflicting acts."

Do pass.

McGARVEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 465, respectfully report as follows: That House Bill No. 465 be amended as follows:

By striking the subsection of section 1, lines 15 to 25, page 1 of the original bill, in its entirety and inserting in lieu thereof a new subsection as follows: "16-2420. (4742) County Commissioners to designate class. The several boards of county commissioners must, at their regular session in September, 1959 and each two years thereafter, make an order designating the class to which such county belongs, as determined by the taxable valuation of such county for the year in which such order is made, under and in accordance with the provisions of section 16-2419, provided that such classification shall not change the government of the county then in existence until the first Monday in January next succeeding."

And as amended, do pass.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 315, respectfully report as follows: That House Bill No. 315 be amended as follows:

On original bill, in section 1, on line 16 by striking the word "net" and inserting in lieu thereof the word (matter deleted) "taxable";

Further amend on line 17 by striking the word "individual" and inserting in lieu thereof (matter deleted) "taxpayer";

Further amend on line 18 by striking the word "exceptions" and inserting in lieu thereof (matter deleted) "exemptions";

Further amend subparagraph (a) by deleting on line 21 after the word "of" the following "one and one fourth per centum (1¼ %)" and inserting in lieu thereof (matter deleted) "one percentum (1%)";

Further amend subparagraph (c) by deleting on line 26 after the word "of" the following "two and three-fourths per centum (2¾ %)" and inserting in lieu thereof (matter deleted) "three percentum (3%)";

Further amend subparagraph (d) by deleting on line 29 after the word "of" the following "three and one-half per centum (3½ %)" and inserting in lieu thereof (matter deleted) "four percentum (4%)";

Further amend subparagraph (d) by deleting on line 28 the words and figures "one thousand dollars (\$1,000.00)" and inserting in lieu thereof "two thousand dollars (\$2,000.00)";

Further amend subparagraph (e) by deleting on line 31 the words and figures "one thousand dollars (\$1,000.00)" and inserting in lieu thereof "two thousand dollars (\$2,000.00)";

Further amend subparagraph (e) by deleting on line 32 the words and figures "four and one-half percentum (4½ %)" and inserting in lieu thereof the words and figures "five percentum (5%)";

Further amend by deleting all of subparagraph (f) and inserting a new subparagraph (f) which will read as follows: "On any taxable income in excess of seven thousand dollars (\$7,000.00) at the rate of seven percentum (7%)".

Further amend section 1 by deleting all of subparagraphs "(g)" and "(h)" and substituting the words "matter deleted";

Further amend section 1, subparagraph (a), line 20, by striking the word "net" and inserting in lieu thereof "(matter deleted) taxable";

Further amend section 1, subparagraph (b), line 23, by striking the word "net" and inserting in lieu thereof "(matter deleted) taxable";

Further amend section 1, subparagraph (c), line 25, by striking the word "net" and inserting in lieu thereof "(matter deleted) taxable";

Further amend section 1, subparagraph (d), line 28, by striking the word "net" and inserting in lieu thereof "(matter deleted) taxable";

Further amend section 1, subparagraph (e), line 31, by striking the word "net" and inserting in lieu thereof "(matter deleted) taxable";

Further amend section 1, subparagraph (f), line 2, page 2, by striking the word "net" and inserting in lieu thereof "(matter deleted) taxable";

And as amended, do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 343, respectfully report as follows: That House Bill No. 343 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 429, respectfully report as follows: That House Bill No. 429 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 446, respectfully report as follows: That House Bill No. 446 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 457, respectfully report as follows: That House Bill No. 457 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 460, respectfully report as follows: That House Bill No. 460 be amended as follows:

Amend the title in line 5 of the original bill by deleting the following: "84-4902, as amended by chapter 228, laws of 1957,";

Further amend the title in lines 5 and 6 of the original bill, after the figures "84-4903" and before the figure "84-4910," by deleting the following: "84-4905, 84-4906,";

Further amend the title in line 8 of the original bill after the figure "84-4937," and before the figure "84-4942" by deleting the following: "84-4938";

Further amend the title in line 8 of the original bill, after the figure "84-4942" and before the word "revised," by deleting the following: "84-4954, replacement volume 5,";

Further amend the title in lines 10, 11 and 12 of the original bill, after the word "repealing" and before the word "all," by deleting the

following: "Sections 84-4907, 84-4908, 84-4909, replacement volume 5, Revised Codes of Montana 1947, and";

Amend section 1, page 1, line 16 of the original bill, after the figure "84-4901" and before the word "revised," by deleting the following: "Replacement Volume 5";

Further amend the original bill on page 3, line 13 through line 4, page 4, by deleting section 2 in its entirety;

Amend section 3, page 4 in line 5 of the original bill, after the word "section," by deleting the figure "3" and inserting in lieu thereof the figure "2";

Further amend section 3, page 4 in line 5 of the original bill, after the figure "84-4903" and before the word "revised," by deleting the following words: "Replacement Volume 5";

Amend section 4, page 4, line 24 through line 14, page 5 of the original bill, by deleting section 4 in its entirety;

Amend section 5, page 5, line 15 through line 20, page 5 of the original bill, by deleting section 5 in its entirety;

Amend section 6, page 5, line 21 of the original bill, after the word "section," by deleting the figure "6" and inserting in lieu thereof the figure "3";

Further amend section 6, page 5, line 21 of the original bill, after the figure "84-4910" and before the word "revised" by deleting the following words: "Replacement Volume 5";

Further amend section 6, page 5, in line 24 of the original bill, after the figures "84-4910," and before the "(a)", by inserting the following: "(2295.10) Exemptions.";

Further amend section 6, page 5, in line 24 of the original bill, after the words "allowance of" and before the word "personal" by inserting the following: "(matter deleted)";

Amend section 7, page 9 in line 16 of the original bill, after the word "section," by deleting the figure "7" and inserting in lieu thereof the figure "4";

Further amend section 7, page 9 in line 16 of the original bill, after the figure "84-4911" and before the word "revised," by deleting the following words: "Replacement Volume 5";

Further amend section 7, page 9 in line 31 of the original bill, after the word "partnerships" and before the word "are," by inserting the following: "(matter deleted)";

Further amend section 7, page 9 in line 32 of the original bill, after the word "department" and before the word "to," by inserting the following: "(matter deleted)";

Amend section 8, page 10 in line 2 of the original bill, after the word "section" by deleting the figure "8" and inserting in lieu thereof the figure "5";

Further amend section 8, page 10 in line 2 of the original bill, after the figure "84-4914" and before the word "revised," by deleting the following words: "Replacement Volume 5";

Further amend section 8, page 10 in line 6 of the original bill, after the words "having a," by inserting the following: "(matter deleted)";

Further amend section 8, page 10 in line 8 of the original bill, after the word "living" and before the word "or," by inserting the word "with";

Amend section 9, page 11 in line 22 of the original bill, after the word "section" by deleting the figure "9," and inserting in lieu thereof the figure "6";

Further amend section 9, page 11 in line 22 of the original bill, after the figures "84-4915" and before the word "revised," by deleting the following words: "Replacement Volume 5";

Further amend section 9, page 11 in line 30 of the original bill, after the word "prorated" and before the words "on the," by inserting the following: "(matter deleted)";

Amend section 10, page 12 in line 5 of the original bill, after the word "section" by deleting the figure "10," and inserting in lieu thereof the figure "7";

Further amend section 10, page 12 in line 5 of the original bill, after the figure "84-4920-1," and before the word "revised," by deleting the following words: "Replacement Volume 5";

Amend section 11, page 12 in line 20 of the original bill, after the word "section" by deleting the figure "11," and inserting in lieu thereof the figure "8";

Further amend section 11, page 12 in line 20 of the original bill, after the figure "84-4937" and before the word "revised," by deleting the following words: "Replacement Volume 5";

Further amend section 11, page 12 in line 27 of the original bill, after the word "state" and before the word "on," by deleting the following: "(matter deleted)" and inserting in lieu thereof the words: "or country";

Further amend section 11, page 12 in line 30 of the original bill, after the word "state" and before the word "on," by deleting the following: "(matter deleted)" and inserting in lieu thereof the words: "or country";

Further amend section 11, page 12 in line 31 of the original bill, after the word "state" and before the word "which," by deleting the following: "(matter deleted)" and inserting in lieu thereof the following: "state

Further amend section 11, page 12 in line 32 of the original bill, after the word "such" and before the word "irrespective," by deleting the following: "(matter deleted)" and inserting in lieu thereof the following: "state or country";

Further amend section 11, subsection (2), page 13 in lines 2 and 3 of the original bill, after the word "state" and before the word "allows," by deleting the following: "(matter deleted)" and inserting in lieu thereof, the words: "or country";

Further amend section 11, subsection (2), page 13, in line 4 of the original bill, after the word "state" and before the word "for," by deleting the following: "(matter deleted)" and inserting in lieu thereof the following words: "or country";

Amend section 12, page 13, lines 9 through 22 of the original bill, by deleting section 12 in its entirety.

Amend section 13, page 13 in line 23 of the original bill, after the word "section" by deleting the figure "13" and inserting in lieu thereof the figure "9";

Further amend section 13, page 13 in line 23 of the original bill, after

the figure "84-4942" and before the word "revised," by deleting the following: "Replacement Volume 5";

Further amend section 13, page 16 in lines 1, 2 and 3 of the original bill, after the word and period: "wages.," by deleting the following: "In the case of a corporation any officer or director may be considered as the employer.";

Amend section 14, page 16, lines 4 through 25 of the original bill by deleting section 14 in its entirety;

Amend section 15, page 16 in lines 26 and 27 of the original bill, after the word "section" and before the word "all," by deleting the figure "15" and inserting in lieu thereof the figure "10" and by deleting the following words and figures: "sections 84-4907, 84-4908, 84-4909, Replacement Volume 5, Revised Codes of Montana, 1947, and";

Amend section 16, page 16 in line 29 of the original bill, after the word "section" by deleting the figure "16" and inserting in lieu thereof the following figure "11."

And as amended, do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 481, respectfully report as follows: That House Bill No. 481 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 505, respectfully report as follows: That House Bill No. 505 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Rules, respectfully report as follows: That the rule as to the changing of votes be further clarified by stating that when a member who has been given the regular opportunity during the voting procedure to change his vote, and upon the recording of the vote by the Speaker, he shall not thereafter be allowed to change his vote.

CEROVSKI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 445, respectfully report as follows: That House Bill No. 445 do not pass.

LANGSTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 501, respectfully report as follows: That House Bill No. 501 do pass.

LANGSTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 502, respectfully report as follows: That House Bill No. 502 do pass.

LANGSTON, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 14, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by the Committee on County Affairs reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 102 by Fladager et al.

House Bill No. 100 by Clowes et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 14, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time and passed, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Bill No. 177 by Harken, Bovey.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Cerovski moved that House Bill No. 502 be taken from Printing and rereferred to the Committee on Judiciary. Motion carried.

Fladager moved that House Bill No. 295, now on General Orders, be passed for the day. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 177, introduced by Harken, Bovey: A bill for an act entitled: "An act to amend section 32-1616, Revised Codes of Montana, 1947, relating to the selling of lands by the State Highway Commission and the procedure therefor; providing that the State Highway Commission may exchange real property acquired by the state for other needed lands; providing for the sale of personal property; providing that the commission shall also have the power to sell printed matter and to set a reasonable price therefor; by repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Substitute House Bill No. 33, introduced by Committee on Workmen's Compensation: A bill for an act entitled: "An act to amend certain provisions of the Montana workmen's compensation law; amending sections 92-701, 92-702, 92-703, 92-704, and 92-709, Revised Codes of Montana, 1947; as last amended by chapter 234, Montana Session Laws of 1957; all relating to compensation for injuries by increasing compensation in cases of temporary total, permanent total, and partial disability, and for injuries causing death, and certain specific loss injuries; repealing sections 92-705 of the Revised Codes of Montana, 1947, relating to burial expenses and

92-706 of the Revised Codes of Montana, 1947, relating to medical care, hospitalization and treatment; providing for payment of burial expenses; providing for medical and hospital services and such other treatment as approved by the board; and amending section 92-707, Revised Codes of Montana, 1947, as last amended by chapter seven, Montana Session Laws of 1949, reducing the waiting period; amending section 92-708, Revised Codes of Montana, 1947, as last amended by chapter 253, Montana Session Laws, 1955, removing restrictive language in consecutive payment of compensation; repealing conflicting acts; providing an effective date." Referred to the Committee on Printing.

Substitute House Bill No. 358, introduced by Committee on Social Security: A bill for an act entitled: "An act to amend sections 87-103, 87-104, Revised Codes of Montana, 1947, as last amended by chapter 140, session laws of 1957, and amending section 87-109, as last amended by chapter 171, Session Laws of Montana, 1957, relating to unemployment compensation; increasing maximum weekly benefit amounts; increasing minimum qualifying wages; increasing maximum duration of benefit payments; providing additional weeks benefits based on employee experience; restoring former classified contribution rates; increasing average percentage for such rates; increasing trust fund reserve ceiling; repealing conflicting acts; providing an effective date." Referred to the Committee on Printing.

Substitute House Bill No. 397, introduced by the Committee on Workmen's Compensation: A bill for an act entitled: "An act to provide for workmen's compensation coverage for silicosis disease disabilities caused by employment; amending section 92-418, Revised Codes of Montana, 1947, defining injury; permitting elective coverage for diseases other than silicosis and diseases caused by silica dust; amending section 92-601, Revised Codes of Montana, 1947, providing for time within which claims must be presented; amending section 92-807, Revised Codes of Montana, 1947, relating to notice; providing a new section for protection of present employees; providing a new section for apportionment of compensation where employer can establish that a portion of the disease disability was incurred in other employment; providing apportioned payment from a special disability fund where no previous and responsible employment can be assessed; providing an effective date; repealing conflicting acts." Referred to the Committee on Printing.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 314 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Rindy, Sales, Shea, Sheehy, Sheldon, Strnisha, Walton, Wayrynen, Wood, Wright, Mr. Speaker. Total 73.

Noes: Elting, Raundal, Schwinden. Total 3.

Absent and not voting: Cerovski, Daniels, Devier, Gleed, Howard, Moudree, Reeder, Reinecke, Sheldon, Tonner. Total 10.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Woodring, Wold. Total 8.

House Bill No. 320 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Reeder, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Strnisha, Walton, Wayrynen, Wood, Wright, Mr. Speaker. Total 73.

Noes: Haines (Prairie), Fladager, Kolar, Kvaalen, Powell, Raundal, Sales. Total 7.

Absent and not voting: Barnard, Cerovski, Daniels, Gleed, Sheldon, Tonner. Total 6.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Woodring, Wold. Total 8.

House Bill No. 360 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Hawks, Healy, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, Mernin, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Wright, Mr. Speaker. Total 70.

Noes: Elting, Fladager, Haines (Prairie), Haines (Missoula), Holding, Kvaalen, McOmber, Nelstead, Reinecke, Sales, Sheehy. Total 11.

Absent and not voting: Barnard, Daniels, Gleed, McGaffick, Tonner. Total 5.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Woodring, Wold. Total 8.

House Bill No. 361 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, Mernin, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wright, Mr. Speaker. Total 66.

Noes: Broeder, Elting, Fladager, Haines (Prairie), Healy, Holding, Kvaalen, McOmber, Nelstead, Picard, Powell, Reinecke, Sales, Sheehy, Wayrynen. Total 15.

Absent and not voting: Barnard, Bradford, Daniels, Gleed, McGaffick. Total 5.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Woodring, Wold. Total 8.

House Bill No. 362 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Bardanouve, Barrett, Barnes, Bashor, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Hawks, Healy, Higham, Holecek, Holtz, Jensen, Karlberg, Kiff, Langston, Lees, Leuthold, Loman, McGarvey, McNally, Mernin, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Rindy, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wright, Mr. Speaker. Total 62.

Noes: Babcock, Battin, Broeder, Elting, Fladager, Haines (Prairie), Haines (Missoula), Holding, Howard, Kolar, Kvaalen, McOmber, Nelstead, Picard, Powell, Reinecke, Sales, Sheehy. Total 18.

Absent and not voting: Barnard, Daniels, Gleed, Loughran, McGaffick, Schwinden. Total 6.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Woodring, Wold. Total 8.

House Bill No. 364 was passed by the following vote:

Ayes: Anderson, Angstman, Bardanouve, Barrett, Barnes, Bashor, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Jensen, Karlberg, Kiff, Langston, Leuthold, Loman, McGarvey, Mernin, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 61.

Noes: Abel, Babcock, Battin, Broeder, Elting, Emmons, Fladager, Haines (Prairie), Haines (Missoula), Howard, Kolar, Kvaalen, Lees, Loughran, McNally, McOmber, Nelstead, Picard, Powell, Reinecke, Sales, Shea, Sheehy. Total 23.

Absent and not voting: Barnard, Daniels, McGaffick. Total 3.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 365 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Bardanouve, Barrett, Barnes, Bashor, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, Felt, Fjare, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Hanks, Harball, Hawks, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Langston, Leuthold, Loman, McGarvey, Mernin, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Rindy, Schwinden, Sheldon, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 57.

Noes: Babcock, Battin, Broeder, DeWolfe, Elting, Emmons, Eskildsen, Fladager, Gill, Haines (Prairie), Haines (Missoula), Healy, Kolar, Kvaalen, Lees, Loughran, McNally, McOmber, Nelstead, Picard, Powell, Reinecke, Sales, Shea, Sheehy, Shelden, Strnisha. Total 27.

Absent and not voting: Barnard, Daniels, McGaffick. Total 3.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 366 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Bardanouve, Barrett, Barnes, Bashor, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, Eskildsen, Felt, Fjare, Gerard, Gill, Glancy, Gleed, Gunderson, Harball, Hawks, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Langston, Leuthold, Loman, McGarvey, Mernin, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Rindy, Schwinden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 56.

Noes: Babcock, Battin, Broeder, DeWolfe, Elting, Emmons, Fladager, Gilfeather, Haines (Prairie), Haines (Missoula), Healy, Holding, Kolar, Kvaalen, Lees, McNally, McOmber, Nelstead, Picard, Powell, Reinecke, Sales, Shea, Sheehy, Shelden, Wayrynen. Total 26.

Absent and not voting: Barnard, Daniels, Hanks, Loughran, McGaffick. Total 5.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 367 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Bardanouve, Barrett, Barnes, Bashor, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Hanks, Harball, Hawks, Healy, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, Mernin, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Rindy, Schwinden, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 66.

Noes: Babcock, Battin, Broeder, Elting, Eskildsen, Fladager, Haines (Prairie), Haines (Missoula), Holding, Kolar, Loughran, McOmber, Nelstead, Picard, Powell, Reinecke, Sales, Shea, Sheehy. Total 19.

Absent and not voting: Barnard, Daniels. Total 2.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 369 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Felt, Fjare, Gerard, Gill, Glancy, Gleed, Gunderson, Hanks, Harball, Hawks, Healy, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, Mernin, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wright, Mr. Speaker. Total 65.

Noes: Babcock, Battin, Broeder, Elting, Fladager, Haines (Prairie), Haines (Missoula), Holding, Kolar, McGaffick, McOmber, Nelstead, Powell, Sales, Shea, Sheehy. Total 16.

Absent and not voting: Daniels, Eskildsen, Gilfeather, Loughran, Reinecke, Woodring. Total 6.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 472 was passed by the following vote:

Ayes: Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bradford, Broeder, Casey, Cerovski, Clowes, Curry, Devier, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loughran, McGarvey, McNally, McOmber, Mernin, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Mr. Speaker. Total 65.

Noes: Anderson, Babcock, Bashor, Battin, Cavan, Corcoran, DeWolfe, Elting, Felt, Gerard, Gleed, Haines (Prairie), Lees, Loman, McGaffick, Nelstead, Powell, Reinecke, Sales, Sheehy, Wright. Total 21.

Absent and not voting: Daniels. Total 1.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 338 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Daniels, Gilfeather. Total 2.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

Sub. House Bill No. 385 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loughran, McGarvey, McNally, McOmber, Mernin, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 82.

Noes: Broeder, Hanks, Loman. Total 3.

Absent and not voting: Daniels, McGaffick. Total 2.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 476 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes,

Bashor, Battin, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 83.

Noes: None.

Absent and not voting: Angstman, Daniels, Glancy, Tonner. Total 4.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 489 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Moudree, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 79.

Noes: Elting, Fladager, Nichols. Total 3.

Absent and not voting: Angstman, Daniels, Devier, McGaffick, Tonner. Total 5.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 247 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Mernin, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Reeder, Reinecke, Rindy, Sales, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wright, Curry, Mr. Speaker. Total 71.

Noes: Elting, Fladager, Holecek, McGaffick, McGarvey, Nelstead, Powell, Raundal, Schwinden, Shea, Sheehy, Sheldon. Total 12.

Absent and not voting: Angstman, Daniels, Holtz, Tonner. Total 4.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 248 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bradford, Broeder, Casey, Cavan, Cerovski,

Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Daniels, McGaffick, Tonner. Total 3.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 249 was passed by the following vote:

Ayes: Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Mernin, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Reeder, Reinecke, Rindy, Sales, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 75.

Noes: Abel, Elting, Holecek, McGarvey, Nelstead, Schwinden, Sheehy, Raundal. Total 8.

Absent and not voting: Corcoran, Daniels, McGaffick, Powers. Total 4.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 272 was passed by the following vote:

Ayes: Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bradford, Casey, Clowes, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Reeder, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Mr. Speaker. Total 67.

Noes: Anderson, Broeder, Cavan, Curry, Elting, Gerard, Gleed, Haines (Prairie), Holecek, Nelstead, Powell, Raundal, Sales, Wright. Total 14.

Absent and not voting: Cerovski, Corcoran, Daniels, Devier, Loughran, Powers. Total 6.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 283 was passed by the following vote:

Ayes: Angstman, Bardanouve, Barnard, Barnes, Bashor, Battin, Casey, Cavan, Cerovski, Corcoran, Daniels, Devier, Emmons, Eskildsen, Gill, Glancy, Hanks, Harball, Healy, Holding, Jensen, Karlberg, Langston, Loughran, McGarvey, McNally, McOmber, Mernin, Nelstead, Page (Granite),

Parker, Picard, Powers, Raundal, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Wood, Mr. Speaker. Total 42.

Noes: Abel, Anderson, Babcock, Barrett, Bradford, Broeder, Curry, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hawks, Higham, Holecek, Holtz, Howard, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, McGaffick, Moudree, Nichols, Page (Missoula), Paulsen, Powell, Reeder, Reinecke, Sales, Sheehy, Walton, Woodring, Wright. Total 40.

Absent and not voting: Clowes, DeWolfe, Gilfeather, Tonner, Wayrynen. Total 5.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 378 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bradford, Broeder, Cavan, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Reeder, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 78.

Noes: None.

Absent and not voting: Barnard, Casey, Clowes, Hanks, Lees, Powell, Raundal, Tonner, Wayrynen. Total 9.

Excused: Aasheim, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 7.

House Bill No. 425 was passed by the following vote:

Ayes: Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cerovski, Clowes, Daniels, Devier, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jensen, Karlberg, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nichols, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Wayrynen, Wood, Woodring, Mr. Speaker. Total 54.

Noes: Anderson, Battin, Broeder, Cavan, Corcoran, Curry, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Loman, Nelstead, Page (Missoula), Paulsen, Powell, Reinecke, Sales, Walton, Wright. Total 30.

Absent and not voting: Abel, Tonner. Total 2.

Excused: Aasheim, Angstman, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 8.

House Bill No. 363 was passed by the following vote:

Ayes: Abel, Anderson, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy,

Gleed, Gunderson, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, Mernin, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 67.

Noes: Babcock, Battin, Broeder, DeWolfe, Elting, Fladager, Haines (Prairie), Haines (Missoula), Hanks, Kolar, McOmber, Nelstead, Powell, Reinecke, Sales, Shea, Sheehy. Total 17.

Absent and not voting: Loughran, Tonner. Total 2.

Excused: Aasheim, Angstman, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 8.

House Bill No. 368 was passed by the following vote:

Ayes: Abel, Anderson, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cerovski, Corcoran, Curry, Devier, Elting, Emmons, Eskildsen, Felt, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Harball, Hawks, Healy, Holecek, Holtz, Howard, Jensen, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, McNally, McOmber, Mernin, Nichols, Page (Granite), Paulsen, Picard, Powers, Reeder, Rindy, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Mr. Speaker. Total 53.

Noes: Babcock, Battin, Broeder, Cavan, Clowes, DeWolfe, Fjare, Fladager, Haines (Prairie), Haines (Missoula), Hanks, Holding, Higham, Karlberg, Kolar, Loughran, McGaffick, McGarvey, Moudree, Nelstead, Page (Missoula), Powell, Raundal, Reinecke, Sales, Schwinden, Shea, Sheehy, Shelden, Wright. Total 30.

Absent and not voting: Daniels, Parker, Tonner. Total 3.

Excused: Aasheim, Angstman, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 8.

House Bill No. 415 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Gleed, Gunderson, Haines (Prairie), Hanks (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 82.

Noes: None.

Absent and not voting: Gilfeather, Glancy, Healy, Loughran. Total 4.

Excused: Aasheim, Angstman, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 8.

House Joint Resolution No. 4 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff,

Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nelstead, Nichols, Page (Granite), Paulsen, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 76.

Noes: Fladager, Hawks, Page (Missoula), Sales. Total 4.

Absent and not voting: Daniels, Gilfeather, Glancy, Healy, Loughran, Parker. Total 6.

Excused: Aasheim, Angstman, Bentz, Jardine, Morrison, Nees, Regan, Wold. Total 8.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Cerovski of Fergus in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 208 do pass.

CEROVSKI, Chairman.

Report adopted.

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

McGarvey of Flathead in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Substitute House Bill No. 125 do pass.

That consideration of House Bill No. 317 be passed for the day.

That House Bill No. 437 do pass.

That House Bill No. 439 do pass.

That the enacting clause be stricken from House Bill No. 461.

That House Joint Resolution No. 3 be amended on page 2, by striking lines 27, 28 and 29 of the printed bill (being lines 15, 16, 17, 18 of the original bill) in their entirety, and as amended, do pass.

That Senate Amendments to House Joint Memorial No. 1 be concurred in.

That Senate Amendments to House Bill No. 135 be placed at the bottom of the board.

That House Bill No. 5 be placed at the bottom of the board.

That House Bill No. 54 do pass.

That further consideration of House Bill No. 154 be indefinitely postponed.

That House Bill No. 171 do pass.

That consideration of House Bill No. 184 be passed for the day.

That consideration of House Bill No. 185 be passed for the day.

That House Bill No. 225 do pass.

That House Bill No. 244 do pass.

That House Bill No. 250 do pass.

That House Bill No. 254 do pass.

That consideration of House Bill No. 276 be passed for the day.

That House Bill No. 296 do pass.

That Sub. House Bill No. 312 do pass.

That House Bill No. 324 do pass.

That House Bill No. 329 do pass.

That House Bill No. 370 do pass.

That House Bill No. 377 do pass.

That House Bill No. 379 do pass.

That House Bill No. 381 do pass.

That House Bill No. 412 do pass.

That Sub. House Bill No. 297 be amended in section 1, in line 19, page 2 of the printed bill (being line 10, page 2 of the original bill) by inserting after the word "claims" the words "for the preceding year and such years shall not be taken into account in computing the average net proceeds for any year"; and as amended, do pass.

McGARVEY, Chairman.

Motion was made by McGarvey for adoption of the Committee of the Whole report.

Substitute motion was made by Daniels that House Bill No. 154 be segregated from the committee report. Motion carried.

Motion was made by McGarvey for adoption of the Committee of the Whole report, as amended. Motion carried. Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 478, respectfully report as follows: That House Bill No. 478 be reported out of committee without recommendation, be printed and placed on General Orders.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 130, respectfully report as follows: That House Bill No. 130 be amended as follows:

Amend in the original bill, lines 6 and 7 of the title, by deleting "as amended by section 1 of chapter 178 of the laws of 1951," and insert in lieu thereof "as amended by section 1, chapter 88 of the laws of 1957,";

Amend in the original bill, lines 15 and 16 in the body of the bill by deleting "178" and inserting in lieu thereof "88"; further, by deleting "1951" and inserting in lieu thereof "1957";

Further amend section 1, class five (b), line 28, by inserting after the word "electrical" "and cooperative rural telephone";

Further amend section 1, page 3, by deleting entirely "class six.", lines 4 through 13, and inserting in lieu thereof the following: "Class Six. Property formerly included in this class is now classified by section 84-308 of the Revised Codes of Montana, 1947."

And as amended, be reported out of committee without recommendation, be printed, and placed on General Orders.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 292, respectfully report as follows: That House Bill No. 292 be reported out of committee without recommendation, be printed and placed on General Orders.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 459, respectfully report as follows: That House Bill No. 459 be amended as follows:

Amend section 1, line 21, by striking after (matter deleted) the remainder of section 1, and inserting in lieu thereof the words " $\frac{1}{2}$ of 1% of the amount by which such gross value of product exceeds \$100,000.00 and does not exceed \$250,000.00; $\frac{3}{4}$ of 1% of the amount by which such gross value of product exceeds \$250,000.00 and does not exceed \$400,000.00; 1% of the amount by which the gross value of product exceeds \$400,000.00 and does not exceed \$500,000.00 and $1\frac{1}{4}$ % of the amount by which the gross value of product exceeds \$500,000.00."

And as amended, do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 455, respectfully report as follows: That House Bill No. 455 do not pass, but that

Substitute House Bill No. 455, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to provide for salary schedules for various elected officials and administrative heads, whatever title they may have, of various boards, bureaus and commissions; making it unlawful to accept a subordinate position at an increased salary to avoid the intent of this act; defining the scope of salaries, but that such scope shall not limit certain longevity pay; repealing sections 25-501, 25-502, 25-503, and 25-505 of the Revised Codes of Montana, 1947; and containing a repealing clause."

Be printed and placed on General Orders without recommendation.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 117, respectfully report as follows: That House Bill No. 117 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 310, respectfully report as follows: That House Bill No. 310 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 334, respectfully report as follows: That House Bill No. 334 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 523, respectfully report as follows: That House Bill No. 523 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 307, respectfully report as follows: That House Bill No. 307 be amended as follows:

By striking therefrom material contained in section 1, line 15, page 2 of the original bill after the semicolon following the word "equalization" and inserting in lieu thereof the words "Provided, however, for the purpose of determining depletion, depreciation and obsolescence, in all cases not expressly provided for in this act, the provisions of the most recent Act of Congress of the United States, commonly known as the federal income tax act, and the rules, regulations and decisions thereunder, insofar as same are applicable and pertinent and not repugnant to or inconsistent with the express provisions of this act, shall be the rule of decision by the State Board of Equalization."

And as amended, do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 303, respectfully report as follows: That House Bill No. 303 be amended as follows:

Amend section 1 by deleting the word and figure "five (5)" contained in line 13, page 2 and inserting in lieu thereof the word "four (4)", that said section 1 of original bill be further amended by deleting the word and figure "eight (8)" in line 15, page 2, and inserting in lieu thereof the word and figure "five (5)" and further amend by deleting in line 18 the words "(matter deleted)" and further amend by deleting the underlining under the words and figures "ten dollars (\$10.00)" in line 18, page 2;

And as amended, do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 507, respectfully report as follows: That House Bill No. 507 be amended as follows:

Amend page 55, lines 29 and 28, following the word "after," replace "December 31st, 1957." with "March 31st, 1961."

And as amended, be reported out of committee without recommendation, be printed and placed on General Orders.

Report adopted.

EMMONS, Chairman.

Mr. Speaker: We, the Majority of your Committee on Social Security, having had under consideration House Bill No. 371, respectfully report as follows: That House Bill No. 371 do not pass.

SHELDEN (Lincoln),
MERNIN,
KARLBERG,
POWERS,
HEALY,
McNALLY,
CASEY,
HELDING,
PARKER.

Motion was made by Shelden that the Majority Committee report be adopted.

Mr. Speaker: We, the Minority of your Committee on Social Security, having had under consideration House Bill No. 371, respectfully report as follows: That House Bill No. 371 do pass.

ELTING,
CAVAN,
KOLAR.

Substitute motion was made by Cavan for adoption of the Minority Committee report. Substitute motion failed to carry.

Motion by Shelden for adoption of the Majority Committee report carried. Majority report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 192, 233, 450 and 458, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 193, 372, 386, 387, 388, 401, 416, 430, 431, Sub. House Bills Nos. 293 and 337, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Monday, February 16, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FORTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 16, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Bentz, Jardine, Paulsen, Reeder, who were excused, and Shea, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-second Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 176, respectfully report as follows: That House Bill No. 176 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 321, respectfully report as follows: That House Bill No. 321 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 316, respectfully report as follows: That House Bill No. 316 be amended as follows:

The title to said House Bill No. 316 be amended by striking the following words and figures: "Section 84-5601, replacement volume 5, Revised Codes of Montana, as amended by chapter 18, laws of 1957, section 84-5602, —section 84-5609, section 84-5611,—defining certain terms,—providing for use of tax stamping meters, providing penalties for violation of this act, repealing sections 84-5607 and 84-5610, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict herewith."

That sections 1, 4, and 6 be deleted in their entirety.

That section 3 be amended as follows: (a) That section 3 be renumbered to read "section 1"; (b) That quotation marks be inserted after the period following the word "ensuing"; (c) That section 3 be further amended by deleting the following words: "All applications for renewal shall be made upon forms which shall be prescribed and furnished by the State Board of Equalization. No license for cigarette vending machine shall be issued unless such machine is reported to the county assessor of the county in which such machine is located."

That section 7 be renumbered to read section 2.

That section 8 be renumbered to read section 3.

And as amended, do not pass.

EMMONS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House reconsider its previous action in adoption of an adverse committee report on House Bill No. 334. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to the Committee on Printing:

Substitute House Bill No. 131, introduced by MacDonald, Cerovski, Felt: A bill for an act entitled: "An act calling for the submission to the electors of the State of Montana of a proposal for the calling of a convention to revise, alter or amend the Constitution of the State of Montana; and providing for the method of voting at such election."

Substitute House Bill No. 294, introduced by the Committee on Constitutional Amendments and Federal Relations: A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to section 5 of article XI of the Constitution of the State of Montana to provide for a state land equalization figure to consist of twenty per cent (20%) of receipts from grazing and agricultural rentals of state-owned lands, to provide for payment of these receipts by the state to the counties to be pro-rated by the counties to school districts according to the percentage of state lands within the local school district; containing a repealing clause."

Substitute House Bill No. 455, introduced by Committee on Appropriations: A bill for an act entitled: "An act to provide for salary schedules for various elected officials and administrative heads, whatever title they may have, of various boards, bureaus and commissions; making it unlawful to accept a subordinate position at an increased salary to avoid the intent of this act; defining the scope of salaries, but that such scope shall not limit certain longevity pay; repealing sections 25-501, 25-502, 25-503, and 25-505 of the Revised Codes of Montana, 1947; and containing a repealing clause."

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Wood of Chouteau in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 317 be amended in section 1, on page 2, line 41 of the printed bill, by inserting after the word "transportation" and before the word "or" the words "recreational area," and as so amended, do pass.

That House Bill No. 154 be placed at the bottom of the board.

That House Bill No. 184 be placed at the bottom of the board.

That House Bill No. 276 be placed at the bottom of the board.

That consideration of House Bill No. 295 be passed for the day.

That the enacting clause be stricken from House Bill No. 12.

That House Bill No. 435 do pass.

That House Bill No. 469 be amended in the title by adding after the last words thereof, the following: "and containing a repealing clause," and as amended, do pass.

That House Bill No. 471 do pass.

That House Bill No. 479 do pass.

That House Bill No. 491 do pass.

That House Bill No. 519 do pass.

That Senate Amendments to House Bill No. 135 be placed at the bottom of the board.

That House Bill No. 5 do pass.

WOOD, Chairman.

Motion was made by Wood for adoption of the Committee of the Whole report.

Substitute motion was made by Gerard that House Bill No. 471 be segregated from the Committee report. Gerard requested a roll call vote, the results thereof to be spread on the Journal in full, and a Call of the House. A sufficient number of seconds rising, the Speaker ordered a Call of the House. Upon completion of roll call, progress having been reported, Gerard moved that the Call of the House be dispensed with. Motion carried.

Substitute motion by Gerard failed to carry by the following vote:

Ayes: Anderson, Angstman, Babcock, Bashor, Battin, Broeder, Cavan, Corcoran, Curry, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, McGaffick, Morrison, Nelstead, Page (Missoula), Powell, Regan, Reinecke, Sales, Sheehy, Walton, Wright. Total 38.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Clowes, Daniels, Devier, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jensen, Karlberg, Langston, Loughran, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Page (Granite), Parker, Picard, Powers, Rindy, Raundal, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 50.

Absent and not voting: Nichols, Shea. Total 2.

Excused: Bentz, Jardine, Paulsen, Reeder. Total 4.

Motion made by Wood for adoption of the Committee report carried. Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 194, 226, 267, 301, 348, 400, 474, 490 and Sub. House Bill No. 123, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 171, 182, 244, 250, 254, 329, 379, 381, 412, Sub. 125, and 54, 225, 296, Sub. 312, 370, 324, 377, 437, and 439 considered correctly engrossed.

PARKER, Chairman.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 208, 435, 469, 471, 479, Sub. H. B. 297, House Joint Resolution No. 3, and House Bills Nos. 5, 491, and 519 considered correctly engrossed.

PARKER, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, having had under consideration Joint Rule No. 11 of the Senate and House, respectfully report as follows: That Joint Rule No. 11 of the Senate and House be amended by inserting after the word "pica," the words "or elite."

CEROVSKI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 473, respectfully report as follows: That House Bill No. 473 do not pass.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration House Bill No. 356, respectfully report as follows: That House Bill No. 356 do not pass.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration Senate Bill No. 200, respectfully report as follows: That Senate Bill No. 200 be amended as follows:

Be amended on line 17, page 1 of the original bill, by inserting a comma (,) following the words "roof coatings" and adding the following: "but excluding artists' colors, waxes and polishes,"

And as amended, be concurred in.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 80, respectfully report as follows: That House Bill No. 80 do not pass, but that

Substitute House Bill No. 80, introduced by Committee on Judiciary: A bill for an act entitled: "An act to amend sections 23-1302, 23-1303, and 23-1307 of the Revised Codes of Montana, 1947, as amended, relating to voting by absent electors, to provide that an absentee voter may make application for absentee ballot, if for any reason, he expects to be absent from his county; to provide that the application and the affidavit with the ballot must be sworn to by some officer authorized to administer oaths pursuant to the laws of the place of execution; to provide that a person

may cast an absentee ballot in any foreign country; and containing a repealing clause."

Be printed and placed on General Orders.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 81, respectfully report as follows: That House Bill No. 81 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 180, respectfully report as follows: That House Bill No. 180 be reported out of committee without recommendation.

TONNER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 483, respectfully report as follows: That House Bill No. 483 do not pass.

BARRETT, Chairman.

Motion was made by Barrett that the Committee report be adopted.

Substitute motion was made by Tonner that the Committee report on House Bill No. 483 be not adopted, but that House Bill No. 483 be referred to the Committee on Appropriations. Substitute motion carried.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 484, respectfully report as follows: That House Bill No. 484 be amended as follows:

Amend the title by deleting the period after the word "tax" in line 9, page 1 of the original bill, and insert in lieu thereof the following words and punctuation: "; providing for an effective date; and containing a repealing clause.";

Further amend section 1, subsection (a), by inserting after the words "two per cent of" in line 30, page 1 of the original bill, the following words and punctuation: "(matter deleted)";

Further amend section 1, subsection (a), by underlining after the words "two per cent of" in line 30, page 1 of the original bill, the following words and punctuation: "the total gross value of that portion of all the petroleum and other mineral or crude oil produced by such person from each lease";

Further amend section 1, subsection (b), by inserting after the words "gross value of" in line 6, page 2 of the original bill, the following words and punctuation: "(Matter deleted)";

Further amend the original bill by inserting after the words "passage and approval." in line 9, page 3 of the original bill, the following words and punctuation: "Section 3. All acts and parts of acts in conflict herewith are hereby repealed.",

And as amended, do pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under

consideration House Bill No. 494, respectfully report as follows: That House Bill No. 494 do not pass, but that

Substitute House Bill No. 494, introduced by the Committee on Education: A bill for an act entitled: "An act to carry out the constitutional mandate in section 11 of article XI of the Constitution of the State of Montana establishing a board of regents to exercise general control and supervision of the State University; to amend section 10-112 of the Revised Codes of Montana, 1947, relating to state institutions to provide for notice of selection of students to be given to the board of regents; to amend sections 28-301, 28-302, 28-303, and 28-304, of the Revised Codes of Montana, 1947, relating to forestry experiment stations; to provide that such stations shall be under the direction of the board of regents; to amend section 59-1111 of the Revised Codes of Montana, 1947, relating to social security coverage; to provide for supervision by the board of regents; to amend section 66-1803 of the Revised Codes of Montana, 1947, relating to public accountants; to provide for the appointment of the board of examiners in accountancy by the board of regents; to amend sections 75-106, 75-107, and 75-108 of the Revised Codes of Montana, 1947, relating to expenses and powers and duties of the state board of education; to provide for deletion of expenses, powers and duties allocated by this act to the board of regents; to amend sections 75-201 and 75-203 of the Revised Codes of Montana, 1947, relating to authorized building at the various institutions by the state board of education; to provide for transferring said authorization and powers to the board of regents; to amend sections 75-301, 75-302, and 75-303 of the Revised Codes of Montana, 1947, relating to general control of executive boards of state institutions; to provide for the deletion of institutions herein delegated to the control of the board of regents; to amend sections 75-401 and 75-403 of the Revised Codes of Montana, 1947, relating to units constituting the University of Montana; to provide for the legal names of each unit and control of such vesting in the board of regents; repealing sections 75-402, 75-402.1 and 75-403.1 of the Revised Codes of Montana, 1947, relating to legal names of units of the university, changes in names of units, and office of chancellor; to amend sections 75-404, 75-405 and 75-406 of the Revised Codes of Montana, 1947, relating to diplomas and degrees, powers and duties of board of regents and the seal of the university; to provide for placing of the execution of such in the board of regents; repealing section 75-407 of the Revised Codes of Montana, 1947, relating to local executive boards of the various units; providing for local executive boards, their creation, residence, powers and officers, including treasurer's bond, their term of office, meetings, compensation, reports, vacancies, expenditures and acceptance of donations and gifts; to amend section 75-408 and section 75-410 of the Revised Codes of Montana, 1947, relating to powers and duties of the chief executive officers of the several institutions and the refunding of fares to students; to provide for changes of name from president to chief executive officer and vesting duties in the board of regents; to amend sections 75-501, 75-502, 75-503, 75-504, 75-505, 75-506, 75-506.1, 75-507, 75-508, 75-512 and 75-515 relating to the Montana State University, its officers, departments, courses, qualifications of students, tuition, professorships, appropriations and powers of the board of regents; to provide for the deletion of powers from the state board of education and vesting such in board of regents; to amend sections 75-602, 75-603, 75-604, 75-605, 75-606, 75-607, 75-608, and 75-609 of the Revised Codes of Montana, 1947, relating to the Montana School of Mines, its control, management, rules and regulations; to provide for vesting such in the board of regents in place of the state board of education; to amend sections 75-701, 75-702, 75-703, 75-704, 75-708, 75-709, 75-717, 75-735 and 75-737 of the Revised Codes of Montana, 1947, relating to the Montana State College, its control, management, objects, rules and regulations; to provide for the control and management of such to be in the board of regents rather than the state board of education; to amend sections 75-901, 75-902 and 75-903 of the Revised Codes of Montana, 1947, relating to the Northern Montana College, its control, supervision, subjects

for instruction and establishment of agricultural experimental station; to provide that general control and supervision shall be vested in the board of regents rather than in the state board of education; repealing sections 75-906 and 75-907 of the Revised Codes of Montana, 1947, relating to the appointment of principal, faculty, secretary and treasurer of the Northern Montana College; to amend sections 75-1003, and 75-1006 of the Revised Codes of Montana, 1947, relating to Western Montana College of Education, its control and management; to provide for the control and management to be vested in the board of regents in place of the state board of education; to amend sections 75-1103 and 75-1104 of the Revised Codes of Montana, 1947, relating to the Eastern Montana College of Education; to provide for the control of such to be under the board of regents in place of the state board of education; to amend section 75-1309 of the Revised Codes of Montana, 1947, relating to the biennial report of the superintendent of public instruction to provide for the deletion from said report the matters referring to the units of the University of Montana and other academies and colleges; to amend section 75-2015 of the Revised Codes of Montana, 1947, relating to type of conservation courses; to provide for the board of regents to determine the same for units of the University of Montana; to amend section 75-2501 of the Revised Codes of Montana, 1947, relating to teachers, examination and certificates to provide for regulation of the same for units of the University of Montana; providing for teacher training at units of the University of Montana; to amend sections 77-909, 77-910 and 77-911 of the Revised Codes of Montana, 1947, relating to war orphans attendance at units of the University of Montana; to provide for the management of such program by the board of regents in place of the state board of education; containing a severability clause and repealing clause and providing for an effective date."

Do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 do not pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 308, respectfully report as follows: That House Bill No. 308 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration House Bill No. 319, respectfully report as follows: That House Bill No. 319 do not pass.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 406, respectfully report as follows: That House Bill No. 406 be amended as follows:

On page 1 of the original bill, starting with line 24, delete all the underlined material up to and including line 11, page 2, and insert in lieu thereof: "Every public utility engaged in the distribution and sale of natural gas for ultimate consumption shall extend its distribution mains and provide natural gas service to customers residing within a radius of five (5) miles of the utility's main line facilities if the customers make application for and agree to purchase such service and the gross revenue

to be derived from such service will during the first three years of service return to the utility the amount it is required to invest in facilities to make such service available and its gas supply is sufficient to render the service. If the utility refuses to supply the service upon application as herein provided, the Public Service Commission, upon proper application and after hearing, may require the public utility to provide the service requested upon a showing that the gross revenue to be derived during the first three years of service will equal the investment the utility must make in facilities to provide the service and the gas supply is sufficient the burden of proving the gas supply is not sufficient shall be upon the public utility."

And as amended, be reported out of Committee without recommendation.

TONNER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 502, respectfully report as follows: That House Bill No. 502 do pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 160, respectfully report as follows: That House Bill No. 160 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 340, respectfully report as follows: That House Bill No. 340 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 341, respectfully report as follows: That House Bill No. 341 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 342, respectfully report as follows: That House Bill No. 342 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 325, respectfully report as follows: That House Bill No. 325 be printed and placed on General Orders.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 391, respectfully report as follows: That House Bill No. 391 be amended as follows:

Amend section 1 by striking out in line 12 of page 2 of the original bill the following words: "the whole of such county." and inserting in lieu

thereof the words: "a tract or packet of land not less than ten (10) miles in length."

And be printed and placed on General Orders.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 411, respectfully report as follows: That House Bill No. 411 be printed and placed on General Orders.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 451, respectfully report as follows: That House Bill No. 451 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 462, respectfully report as follows: That House Bill No. 462 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 452, respectfully report as follows: That House Bill No. 452 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 463, respectfully report as follows: That House Bill No. 463 be reported out of committee without recommendation.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 464, respectfully report as follows: That House Bill No. 464 be reported out of committee without recommendation.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 335, respectfully report as follows: That House Bill No. 335 be amended as follows:

Amend section 1, subsection (r) on line 12, page 4 of the original bill by adding thereto following the word "rehabilitation," the words "or conservation";

Amend section 5 by striking out in line 10, page 6 of the original bill, after the word "municipality" the period (.) and inserting in lieu thereof the following: "; and (3) that the proposed urban renewal project has been approved by the taxpayers of such municipality at an election as provided in section 6, subsection (g) thereof.";

Amend section 6 by adding at the end thereof on page 8 of the original bill a new subsection to be known as subsection (g), to read and provide as follows: "(g) upon the approval of an urban renewal project by a

municipality the plan shall be submitted to a vote of the taxpayers of such municipality and shall be approved by a majority of those taxpayers voting in such election.”;

Amend section 7, subsection (b) by striking out of line 14 of page 8 of the original bill, after the word “road” the words: “public utilities or other facilities for,”;

Amend section 7, subsection (g) by adding thereto on line 7, page 10 of the original bill, following the word “to,” the words: “make relocation payments and to”;

Amend section 7 by adding thereto at the end thereof on line 26 of page 10 of the original bill a new subsection to be known as subsection (k) which shall read and provide as follows: “(k) Nothing in this act shall be construed to authorize any municipality to construct or operate, as a part of any urban renewal project, any electric generation plant, electric transmission or distribution lines or other public utility facilities excepting water and sewer lines then operated by municipalities.”

Amend section 9, subsection (a) by striking out in line 16, page 11 of the original bill, after the word “education,” the words: “public utilities”;

Amend section 9, subsection (a) by striking out in line 16 of page 12 of the original bill after the word “the” the word “auditor” and inserting in lieu thereof the words: “clerk and recorder”;

Amend section 9, subsection (c) by striking out in line 8 of page 13 of the original bill after the word “area” the words “for a period of three years”;

Amend section 13 by adding at the end thereof on page 17 of the original bill a new subsection to be known as subsection (c) which shall read and provide as follows: “(c) For the purpose of this section, or for the purpose of aiding in the planning, undertaking or carrying out of an urban renewal project of a municipality, such municipality, in addition to any authority to issue bonds pursuant to section 10, may issue and sell its general obligation bonds. Any bonds issued pursuant to this section shall be issued in the manner and within the limitations prescribed by the laws of this state for the issuance and authorization of bonds by such municipality for public purposes generally.”

Amend section 18 by striking in line 13, page 20 of the original bill, the words “department or division head” and inserting in lieu thereof the words “or employee”;

Amend section 19 by adding at the end thereof on page 21 of the original bill a new paragraph to read and provide as follows: “Insofar as the provisions of this act are inconsistent with the provisions of any other law, the provisions of this act shall be controlling. The powers conferred by this act shall be in addition and supplemental to the powers conferred by any other law.”

And as amended, do pass.

CLOWES, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 418, respectfully report as follows: That House Bill No. 418 do not pass.

EMMONS, Chairman.

Motion was made by Emmons for adoption of the Committee report.

Substitute motion was made by Sheehy that House Bill No. 418 be printed and placed on General Orders.

Parker requested a Call of the House, a roll call vote to be spread on the Journal in full, and asked for the required number of seconds. Sufficient seconds rising, the Speaker ordered a Call of the House. Upon completion of roll call, progress having been reported, Parker moved the Call of the House be dispensed with. Motion carried.

Substitute motion by Sheehy carried by the following vote:

Ayes: Anderson, Babcock, Bashor, Battin, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, Daniels, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Healy, Holding, Higham, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Loman, Loughran, McGaffick, McNally, Mernin, Morrison, Nees, Nelstead, Nichols, Picard, Powers, Regan, Reinecke, Sales, Shea, Sheehy, Strnisha, Wayrynen, Wold, Wright. Total 53.

Noes: Aasheim, Bardanouve, Barrett, Barnard, Barnes, Bradford, Cerovski, Devier, Eskilden, Gilfeather, Gill, Hanks, Harball, Holecek, Holtz, Howard, Leuthold, McGarvey, McOmber, Moudree, Page (Missoula), Powell, Raundal, Reeder, Rindy, Schwinden, Shelden, Sheldon, Tonner, Walton, Wood, Parker, Mr. Speaker. Total 33.

Absent and not voting: Abel. Total 1.

Excused: Angstman, Bentz, Hawks, Jardine, Page (Granite), Paulsen, Woodring. Total 7.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Joint Memorials Nos. 2 and 10, and House Bill No. 159.

BRADFORD, Vice-Chairman.

I have examined House Joint Memorial No. 2 introduced by me and find the same to be correct.

WOLD.

I have examined House Joint Memorial No. 10 introduced by me and find the same to be correct.

ABEL.

I have examined House Bill No. 159, introduced by me and find the same to be correct.

McNALLY.

The Speaker signed House Joint Memorials Nos. 2 and 10, and House Bill No. 159, in open session, the titles having first been read.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that House Bill No. 334 be taken from the House and referred to the Committee on Appropriations. Motion carried.

Motion was made by Cerovski that the following House Bills be placed on a Special Order of Business: House Bills Nos. 303, 307, 315 and 337. Motion carried.

Motion was made by Tonner that House Bill No. 180 be printed and placed on General Orders.

Substitute motion was made by Sheehy that further consideration on House Bill No. 180 be indefinitely postponed.

Tonner asked for a roll call vote and the required seconds rose. Sheehy

requested a Call of the House and there being a sufficient number of seconds, the Speaker ordered a Call of the House. Upon completion of roll call, Sheehy moved the Call of the House be dispensed with, progress having been shown. Motion carried.

Substitute motion by Sheehy carried by the following vote:

Ayes: Anderson, Babcock, Bashor, Battin, Broeder, Casey, Cavan, Curry, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Hawks, Healy, Higham, Holecek, Howard, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, Morrison, Nelstead, Nichols, Page (Missoula), Picard, Powell, Reeder, Regan, Reinecke, Sales, Shea, Sheehy, Walton, Wayrynen, Wright. Total 49.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Bradford, Cerovski, Clowes, Corcoran, Daniels, Devier, Emmons, Eskildsen, Glancy, Harball, Holding, Holtz, Jensen, Karlberg, Langston, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Page (Granite), Parker, Powers, Raundal, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wood, Woodring, Wold, Barnes, Mr. Speaker. Total 41.

Absent and not voting: None.

Excused: Angstman, Bentz, Jardine, Paulsen. Total 4.

Motion was made by Tonner that House Bill No. 406 be printed and placed on General Orders. Motion carried.

Motion was made by Battin that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 224.

Substitute motion was made by Langston that House Bill No. 224 be laid on the table.

Battin requested a roll call vote, to be recorded on the Journal, and sufficient seconds rising, the following vote was taken, and the substitute motion to table House Bill No. 224 carried:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Broeder, Casey, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Parker, Picard, Powell, Powers, Raundal, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wood, Woodring, Wold, Wright. Total 65.

Noes: Anderson, Babcock, Battin, Cavan, Corcoran, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Kolar, Page (Missoula), Sales, Mr. Speaker. Total 16.

Absent and not voting: Bashor, Bradford, Felt, Gilfeather, Lees, Regan, Walton, Wayrynen. Total 8.

Excused: Angstman, Bentz, Jardine, Paulsen, Reeder. Total 5.

Motion was made by Eskildsen that Senate Bill No. 152 be taken from General Orders and rereferred to the Committee on State Boards and Institutions. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to the Committee on Printing:

Substitute House Bill No. 80, introduced by the Committee on Judiciary: A bill for an act entitled: "An act to amend sections 23-1302, 23-1303, and 23-1307 of the Revised Codes of Montana, 1947, as amended, relating to voting by absent electors, to provide that an absentee voter may make application for absentee ballot, if for any reason, he expects to be absent from his county; to provide that the application and the affidavit with the ballot must be sworn to by some officer authorized to administer oaths pursuant to the laws of the place of execution; to provide that a person may cast an absentee ballot in any foreign country; and containing a repealing clause."

Substitute House Bill No. 494, introduced by the Committee on Education: A bill for an act entitled: "An act to carry out the constitutional mandate in section 11 of article XI of the Constitution of the State of Montana establishing a board of regents to exercise general control and supervision of the State University; to amend section 10-112 of the Revised Codes of Montana, 1947, relating to state institutions to provide for notice of selection of students to be given to the board of regents; to amend sections 28-301, 28-302, 28-303, and 28-304, of the Revised Codes of Montana, 1947, relating to forestry experiment stations; to provide that such stations shall be under the direction of the board of regents; to amend section 59-1111 of the Revised Codes of Montana, 1947, relating to social security coverage; to provide for supervision by the board of regents; to amend section 66-1803 of the Revised Codes of Montana, 1947, relating to public accountants; to provide for the appointment of the board of examiners in accountancy by the board of regents; to amend sections 75-106, 75-107, and 75-108 of the Revised Codes of Montana, 1947, relating to expenses and powers and duties of the state board of education; to provide for deletion of expenses, powers and duties allocated by this act to the board of regents; to amend sections 75-201 and 75-203 of the Revised Codes of Montana, 1947, relating to authorized building at the various institutions by the state board of education; to provide for transferring said authorization and powers to the board of regents; to amend sections 75-301, 75-302, and 75-303 of the Revised Codes of Montana, 1947, relating to general control of executive boards of state institutions; to provide for the deletion of institutions herein delegated to the control of the board of regents; to amend sections 75-401 and 75-403 of the Revised Codes of Montana, 1947, relating to units constituting the University of Montana; to provide for the legal names of each unit and control of such vesting in the board of regents; repealing sections 75-402, 75-402.1 and 75-403.1 of the Revised Codes of Montana, 1947, relating to legal names of units of the university, changes in names of units, and office of chancellor; to amend sections 75-404, 75-405 and 75-406 of the Revised Codes of Montana, 1947, relating to diplomas and degrees, powers and duties of board of regents and the seal of the university; to provide for placing of the execution of such in the board of regents; repealing section 75-407 of the Revised Codes of Montana, 1947, relating to local executive boards of the various units; providing for local executive boards, their creation, residence, powers and officers, including treasurer's bond, their term of office, meetings, compensation, reports, vacancies, expenditures and acceptance of donations and gifts; to amend section 75-408 and section 75-410 of the Revised Codes of Montana, 1947, relating to powers and duties of the chief executive officers of the several institutions and the refunding of fares to students; to provide for changes of name from president to chief executive officer and vesting duties in the board of regents; to amend sections 75-501, 75-502, 75-503, 75-504, 75-505, 75-506, 75-506.1, 75-507, 75-508, 75-512 and 75-515, relating to the Montana State University, its officers, departments, courses, qualifications of students, tuition, professorships, appropriations and powers of the board of regents; to provide for the deletion of powers from the state board of education and vesting such in board of regents; to amend sections 75-602, 75-603, 75-604, 75-605, 75-606, 75-607, 75-608, and 75-609 of the Revised Codes of Montana, 1947, relating to the Montana School of Mines, its control, management, rules and regulations; to provide for vest-

ing such in the board of regents in place of the state board of education; to amend sections 75-701, 75-702, 75-703, 75-704, 75-708, 75-709, 75-717, 75-735 and 75-737 of the Revised Codes of Montana, 1947, relating to the Montana State College, its control, management, objects, rules and regulations; to provide for the control and management of such to be in the board of regents rather than the state board of education; to amend sections 75-901, 75-902 and 75-903 of the Revised Codes of Montana, 1947, relating to the Northern Montana College, its control, supervision, subjects for instruction and establishment of agricultural experimental station; to provide that general control and supervision shall be vested in the board of regents rather than in the state board of education; repealing sections 75-906 and 75-907 of the Revised Codes of Montana, 1947, relating to the appointment of principal, faculty, secretary and treasurer of the Northern Montana College; to amend sections 75-1003, and 75-1006 of the Revised Codes of Montana, 1947, relating to Western Montana College of Education, its control and management; to provide for the control and management to be vested in the board of regents in place of the state board of education; to amend sections 75-1103 and 75-1104 of the Revised Codes of Montana, 1947, relating to the Eastern Montana College of Education; to provide for the control of such to be under the board of regents in place of the state board of education; to amend section 75-1309 of the Revised Codes of Montana, 1947, relating to the biennial report of the superintendent of public instruction to provide for the deletion from said report the matters referring to the units of the University of Montana and other academies and colleges; to amend section 75-2015 of the Revised Codes of Montana, 1947, relating to type of conservation courses; to provide for the board of regents to determine the same for units of the University of Montana; to amend section 75-2501 of the Revised Codes of Montana, 1947, relating to teachers, examination and certificates to provide for regulation of the same for units of the University of Montana; providing for teacher training at units of the University of Montana; to amend sections 77-909, 77-910 and 77-911 of the Revised Codes of Montana, 1947, relating to war orphans attendance at units of the University of Montana; to provide for the management of such program by the board of regents in place of the state board of education; containing a severability clause and repealing clause and providing for an effective date."

THIRD READING OF HOUSE BILLS

Senate Amendments to House Joint Memorial No. 1, having first been read, were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barnes, Bashor, Casey, Cavan, Cerovski, Clowes, Devier, DeWolfe, Elting, Emmons, Fjare, Fladager, Gerard, Gill, Glancy, Gunderson, Haines (Missoula), Harball, Hawks, Healy, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nelstead, Nichols, Page (Granite), Parker, Powers, Raundal, Regan, Rindy, Sales, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 61.

Noes: Daniels, Page (Missoula). Total 2.

Absent and not voting: Babcock, Barrett, Barnard, Battin, Bradford, Broeder, Corcoran, Curry, Eskildsen, Felt, Gilfeather, Gleed, Haines (Prairie), Hanks, Holding, Langston, Lees, Mernin, Moudree, Nees, Picard, Powell, Reinecke, Schwinden, Shelden, Wayrynen. Total 26.

Excused: Angstman, Bentz, Jardine, Paulsen, Reeder. Total 5.

CONSIDERATION OF GENERAL ORDERS

Cerovski moved that the House resolve itself into a Committee of the

Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Wood of Chouteau in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 193 do pass.

That House Bill No. 372 do pass.

That House Bill No. 387 do pass.

That House Bill No. 388 do pass.

That House Bill No. 386 do pass.

That House Bill No. 401 do pass.

That House Bill No. 430 be amended in the title by adding after the last words thereof, the following: "and containing a repealing clause"; and as amended, do pass.

That House Bill No. 416 be amended in the title by striking the words "an owner of" from the first line of the title, and inserting in lieu thereof the following words: "a sole proprietor or a member of a partnership consisting of not more than two partners who own";

Be further amended in section 1, in line 1 of the printed bill, by striking the words "an owner of" and inserting in lieu thereof the following: "a sole proprietor or a member of a partnership consisting of not more than two partners who own"; and as amended, do pass.

That House Bill No. 431 be placed at the bottom of the list.

That House Bill No. 293 be placed at the bottom of the list.

That House Bill No. 192 do pass.

That House Bill No. 233 be placed at the bottom of the list.

That House Bill No. 450 do pass.

That the enacting clause be stricken from House Bill No. 458.

That House Joint Memorial No. 12 do pass.

That Substitute House Bill No. 426 be amended in the title by adding after the last words thereof, the following: "and providing an effective date."; and as amended, do pass.

That House Bill No. 154 be amended in section 1, on page 1, line 6 of the printed bill, by striking out the word "three-fourths" and inserting in lieu thereof the word "two-thirds";

Be further amended in section 5, on page 2, lines 4, 5, 6, 7, 8 and 9 of the printed bill by striking out the following: "There shall be levied and imposed a tax of one-fourth of one percent on the net taxable value of all estates probated in the courts of this state, the proceeds of which tax shall be transmitted to the public employees retirement board and credited to the judicial retirement fund. No estate shall be distributed by court order or otherwise until such tax is paid; this act shall be retroactive to the extent that it shall apply to all estates pending in the courts and undistributed upon the effective date of this act." and inserting in lieu thereof the words: "One-half of the fees collected under sections 25-232 as amended,

25-233 as amended, and 82-503 as amended shall by each clerk of court be transmitted to the state treasurer to be by him transmitted to the public employees retirement board and credited to the judicial retirement fund.", and as so amended, House Bill No. 154 do pass.

WOOD, Chairman.

Motion was made by Wood for adoption of the Committee of the Whole report.

Substitute motion was made by Nelstead that House Bill No. 387 be segregated from the Committee report. Substitute motion failed to carry.

Substitute motion was made by Mernin that House Bill No. 154 be segregated from the Committee report. Substitute motion failed to carry.

Original motion by Wood carried. Committee report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 71, 83, 170, 350, 424, 480, 375, 376, 382, 413, 475, 504 and Sub. House Bill No. 228, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that the House recess until 7:30 p.m. this day. Motion carried.

House recessed.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 286, respectfully report as follows: That House Bill No. 286 do not pass.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration House Bill No. 305, respectfully report as follows: That House Bill No. 305 do not pass, but that

Substitute House Bill No. 305, introduced by the Committee on Liquor Control: A bill for an act entitled: "An act to prohibit any person, persons, partnership, firm, corporation or association engaged in a business enterprise, to allow any person or persons to bring upon premises devoted to such business enterprise and to consume thereon, any beer, liquor or other alcoholic beverages, unless licensed, and providing a penalty therefor; defining a bottle club; repealing all acts and parts of acts in conflict herewith; and providing for an effective date."

Do pass.

REEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 509, respectfully report as follows: That House Bill No. 509 do not pass, but that

Substitute House Bill No. 509, introduced by the Committee on Education: A bill for an act entitled: "An act to submit to the vote of the people a measure to authorize the State of Montana to become indebted in the

sum of twelve million five hundred thousand dollars (\$12,500,000.00) in excess of the constitutional limitation of indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction and equipping of necessary buildings, other permanent improvements and acquisition of necessary grounds therefor over a maximum period of twenty years in and about the University of Montana, consisting of the six units thereof now existing, namely, the Montana State University at Missoula, Montana State College at Bozeman, Montana School of Mines at Butte, Western Montana College of Education at Dillon, Eastern Montana College of Education at Billings, and the Northern Montana College at Havre as well as the experiment stations for agriculture, engineering, forestry, and mining, and the agricultural extension service; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness, and for the sale thereof, prescribing the form of such bonds and directing that the Legislative Assembly shall allocate the money received from such bonds among said units, providing for a levy of an annual tax in excess of that now provided by the constitution for state purposes to pay the principal thereof and the interest accruing thereon, providing for a referendum of this act, describing the form of ballots to be used and the duties of the secretary of state of Montana relative to the submission of this act to the qualified electors of the state, and providing when this act shall take effect."

Do pass.

BARRETT, Chairman.

Report adopted.

MESSAGE FROM THE GOVERNOR

February 16, 1959.

Honorable John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 169—Introduced by Committee on Appropriations.

H. J. M. 3—Introduced by Shelden (Lincoln), Jensen, Holding, Gill, Broeder, Harball and Tonner.

Very truly yours,

J. HUGO, ARONSON, Governor.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to the Committee on Printing:

Substitute House Bill No. 509, introduced by the Committee on Education: A bill for an act entitled: "An act to submit to the vote of the people a measure to authorize the State of Montana to become indebted in the sum of twelve million five hundred thousand dollars (\$12,500,000.00) in excess of the constitutional limitation of indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the construction and equipping of necessary buildings, other permanent improvements and acquisition of necessary grounds therefor over a maximum period of twenty years in and about the University of Montana, consisting of the six units thereof now existing, namely, the Montana State University

at Missoula, Montana State College at Bozeman, Montana School of Mines at Butte, Western Montana College of Education at Dillon, Eastern Montana College of Education at Billings, and the Northern Montana College at Havre as well as the experiment stations for agriculture, engineering, forestry, and mining, and the agricultural extension service; providing for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness, and for the sale thereof, prescribing the form of such bonds and directing that the Legislative Assembly shall allocate the money received from such bonds among said units, providing for a levy of an annual tax in excess of that now provided by the constitution for state purposes to pay the principal thereof and the interest accruing thereon, providing for a referendum of this act, describing the form of ballots to be used and the duties of the secretary of state of Montana relative to the submission of this act to the qualified electors of the state, and providing when this act shall take effect."

Substitute House Bill No. 305, introduced by the Committee on Liquor Control: A bill for an act entitled: "An act to prohibit any person, persons, partnership, firm, corporation or association engaged in a business enterprise, to allow any person or persons to bring upon premises devoted to such business enterprise and to consume thereon, any beer, liquor or other alcoholic beverages, unless licensed, and providing a penalty therefor; defining a bottle club; repealing all acts and parts of acts in conflict herewith; and providing for an effective date."

MOTIONS AND RESOLUTIONS

The following Resolution was introduced by Gerard, Casey, Cerovski: House Resolution No. 3: A resolution of the House of Representatives of the State of Montana noting with regret the illness of the secretary of state, John Foster Dulles, and wishing him a speedy recovery:

Whereas, the House of Representatives of the Thirty-sixth Montana Legislature has noted with regret the illness of secretary of state, John Foster Dulles, and

Whereas, this House is aware of the outstanding contributions made by the secretary of state to the cause of world peace, and

Whereas, no secretary of state has worked more diligently and faithfully to this end,

Now, Therefore, Be It Resolved that the Montana House of Representatives extends to the secretary of state its sincere wishes for his speedy and complete recovery, and

Be It Further Resolved, that a copy of this resolution be forwarded to the secretary of state.

Motion was made by Gerard for adoption of the Resolution. Motion carried.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, titles and history agreed to, were disposed of in the following manner:

House Bill No. 5 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Broeder, Casey, Cerovski, Clowes, Daniels, Devier, Elting, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Gill, Harball, Healy, Holding, Holecek, Jensen, Kvaalen, Langston, Loman, Loughran, McGaffick, McGarvey, McNally, Moudree, Picard, Powers, Reeder, Rindy, Schwinden, Shea, Sheehy,

Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 50.

Noes: Anderson, Babcock, Battin, Bradford, Cavan, Curry, DeWolfe, Felt, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Higham, Howard, Karlberg, Kiff, Kolar, Leuthold, McOmber, Morrison, Nelstead, Nichols, Powell, Raundal, Regan, Reinecke, Walton, Wright. Total 29.

Absent and not voting: Corcoran, Gunderson, Hawks, Holtz, Mernin, Nees, Page (Granite), Page (Missoula), Parker, Sales. Total 10.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 54, being a bill calling for a constitutional amendment, Cerovski moved for a Call of the House. There being a sufficient number of seconds, the Speaker ordered a Call of the House. After completion of roll call, Cerovski moved that the Call of the House be dispensed with, and that House Bill No. 54 be placed at the bottom of the list of bills on Third Reading. Motion carried.

Substitute House Bill No. 125 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barnard, Bashor, Bentz, Bradford, Casey, Cavan, Cerovski, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Fjare, Gilfeather, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Higham, Holtz, Howard, Karlberg, Kolar, Kvaalen, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nelstead, Parker, Picard, Powers, Reeder, Regan, Rindy, Sales, Schwinden, Shea, Shelden, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 58.

Noes: Barnes, Broeder, Eskildsen, Felt, Fladager, Gerard, Gleed, Healy, Holding, Jensen, Kiff, Moudree, Nees, Nichols, Page (Granite), Page (Missoula), Powell, Raundal, Reinecke, Sheehy, Sheldon, Strnisha, Wayrynen. Total 23.

Absent and not voting: Barrett, Battin, Clowes, Corcoran, Holecek, Langston, Mernin, Tonner. Total 8.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 171 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Bashor, Battin, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Daniels, Devier, DeWolfe, Eskildsen, Felt, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Leuthold, Loman, Loughran, McGaffick, McGarvey, McOmber, Morrison, Nees, Nelstead, Page (Granite), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Woodring, Wold, Mr. Speaker. Total 70.

Noes: Barnes, Bentz, Elting, Emmons, Fjare, Fladager, Kvaalen, Langston, McNally, Moudree, Nichols, Page (Missoula), Reinecke, Rindy, Wood, Wright. Total 16.

Absent and not voting: Clowes, Corcoran, Mernin. Total 3.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 182 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Corcoran, Mernin. Total 2.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 208 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Battin, Bentz, Casey, Cavan, Cerovski, Curry, Daniels, Devier, Eskildsen, Felt, Gerard, Gill, Gleed, Haines (Prairie), Hanks, Harball, Hawks, Healy, Higham, Holecek, Kiff, Kolar, Kvaalen, Langston, Loughran, McGaffick, McOmber, Morrison, Moudree, Nees, Nelstead, Parker, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Strnisha, Tonner, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 57.

Noes: Abel, Broeder, Clowes, Elting, Emmons, Fjare, Fladager, Gilfeather, Haines (Missoula), Holding, Holtz, Howard, Jensen, Karlberg, Leuthold, Loman, McGarvey, McNally, Nichols, Page (Granite), Page (Missoula), Shelden, Sheldon, Walton. Total 24.

Absent and not voting: Bashor, Bradford, Corcoran, DeWolfe, Gunderson, Mernin, Regan, Woodring. Total 8.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 225 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Picard, Powell, Powers, Reeder, Regan, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 76.

Noes: Haines (Missoula), Holecek, Jensen, Nees, Parker, Raundal, Reinecke, Tonner. Total 8.

Absent and not voting: Corcoran, Gilfeather, Kiff, Mernin, Moudree. Total 5.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 244 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes,

Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powers, Reeder, Regan, Reinecke, Shea, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 72.

Noes: Barrett, Eskildsen, Gleed, Higham, Kolar, Kvaalen, Langston, Leuthold, Nees, Nelstead, Powell, Raundal, Rindy, Sales, Schwinden, Wright. Total 16.

Absent and not voting: Gilfeather. Total 1.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 250 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Holtz, Howard, Karlberg, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 72.

Noes: Bashor, DeWolfe, Elting, Jensen, Kiff, McGaffick, Morrison, Moudree, Nees, Nelstead, Schwinden, Sheehy. Total 12.

Absent and not voting: Anderson, Daniels, Gilfeather, Gunderson, Healy. Total 5.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 254 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 80.

Noes: McGaffick, Moudree, Powell, Raundal, Schwinden, Shea, Sheehy, Wright. Total 8.

Absent and not voting: Gunderson. Total 1.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 296 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Daniels, Devier, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Gilfeather, Gleed,

Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holtz, Karlberg, Kolar, Kvaalen, Leuthold, Loman, Loughran, McGaffick, McGarvey, Mernin, Morrison, Moudree, Page (Granite), Picard, Reeder, Regan, Rindy, Sales, Shea, Shelden, Sheldon, Tonner, Wayrynen, Wood, Wold. Total 57.

Noes: Barrett, Cerovski, Curry, Emmons, Holding, Higham, Holecek, Howard, Jensen, Kiff, Langston, McNally, McOmber, Nees, Nelstead, Nichols, Page (Missoula), Parker, Powell, Powers, Raundal, Reinecke, Schwinden, Sheehy, Strnisha, Walton, Woodring, Wright, Mr. Speaker. Total 29.

Absent and not voting: Bardanouve, Eskildsen, Gill. Total 3.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

Substitute House Bill No. 297 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 89.

Noes: None.

Absent and not voting: None.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

Substitute House Bill No. 312 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Hawks, Healy, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Picard, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 77.

Noes: Elting, Fladager, Harball, Kvaalen, McNally, Mernin, Powell, Schwinden, Raundal. Total 9.

Absent and not voting: Bardanouve, Holding, Parker. Total 3.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 324 was passed by the following vote:

Ayes: Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Curry, Daniels, DeWolfe, Elting, Emmons, Gilfeather, Gill, Gunderson, Hanks, Harball, Healy, Holding, Holtz, Jensen, Karlberg, Langston, Loughran, McGarvey, McNally, McOmber, Mernin, Nees, Nelstead, Nichols, Page (Granite), Parker, Picard, Powers, Reeder, Regan,

Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 52.

Noes: Anderson, Bashor, Battin, Bentz, Broeder, Cavan, Clowes, Corcoran, Eskildsen, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Leuthold, McGaffick, Morrison, Moudree, Page (Missoula), Powell, Raundal, Reinecke, Sales, Walton, Wright. Total 33.

Absent and not voting: Aasheim, Devier, Holecek, Loman. Total 4.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 329 was passed by the following vote:

Ayes: Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Broeder, Casey, Cerovski, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Gunderson, Harball, Healy, Holding, Holecek, Holtz, Jensen, Karlberg, Kiff, Langston, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Page (Granite), Parker, Powers, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Wood, Woodring, Mr. Speaker. Total 49.

Noes: Anderson, Babcock, Battin, Bentz, Cavan, Corcoran, Curry, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Hawks, Higham, Howard, Kolar, Kvaalen, Leuthold, Moudree, Nelstead, Nichols, Page (Missoula), Picard, Powell, Raundal, Reinecke, Sales, Walton, Wayrynen, Wold, Wright. Total 35.

Absent and not voting: Aasheim, Clowes, Loman, McGaffick, Shelden. Total 5.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 370 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Gerard, Mr. Speaker. Total 81.

Noes: Haines (Missoula), Howard, Sales. Total 3.

Absent and not voting: Barnard, Clowes, Nees, Nichols, Shelden. Total 5.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 377 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McNally, McOmber, Mernin, Nees, Nichols, Page

(Granite), Page (Missoula), Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: Gerard, Gleed, Hawks, Higham, McGaffick, McGarvey, Morrison, Moudree, Nelstead, Powell, Reinecke. Total 11.

Absent and not voting: None.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 379 was passed by the following vote:

Ayes: Abel, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Gilfeather, Gill, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Howard, Jensen, Karlberg, Kiff, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, Mernin, Morrison, Moudree, Nees, Page (Granite), Page (Missoula), Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 65.

Noes: Anderson, Cavan, Elting, Felt, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Kolar, Kvaalen, Loman, Nelstead, Nichols, Powell, Reinecke, Sales, Walton, Wright. Total 19.

Absent and not voting: Aasheim, Barrett, Bentz, Bradford, Holtz, McOmber. Total 6.

Excused: Angstman, Glancy, Jardine, Paulsen. Total 4.

House Bill No. 381 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 82.

Noes: Holecek, McGaffick, Raundal, Tonner. Total 4.

Absent and not voting: Eskildsen, Gill, Langston, Nees. Total 4.

Excused: Angstman, Glancy, Jardine, Paulsen. Total 4.

House Bill No. 412 was passed by the following vote:

Ayes: Aasheim, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy,

Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 80.

Noes: Abel, Anderson, Gerard, Gleed, Raundal. Total 5.

Absent and not voting: Casey, Moudree, Schwinden, Tonner. Total 4.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 435 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Cavan, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 84.

Noes: Battin, Cerovski, Elting, Holecek. Total 4.

Absent and not voting: Casey. Total 1.

Excused: Angstman, Glancy, Jardine, Lees, Paulsen. Total 5.

House Bill No. 437 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 87.

Noes: McGaffick, Wright. Total 2.

Absent and not voting: Casey. Total 1.

Excused: Angstman, Glancy, Jardine, Paulsen. Total 4.

House Bill No. 439 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gilfeather, Gleed, Gunderson, Haines (Prairie), Hanks, Healy, Holding, Holtz, Jensen, Karlberg, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Page (Granite), Picard, Powers, Reeder, Regan, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Woodring, Wold, Mr. Speaker. Total 60.

Noes: Anderson, Broeder, Corcoran, Fjare, Gerard, Haines (Missoula), Harball, Hawks, Higham, Holecek, Howard, Kolar, Kvaalen, Loman, Nichols, Page (Missoula), Powell, Raundal, Reinecke, Rindy, Sales, Wayrynen, Wood, Wright. Total 24.

Absent and not voting: Casey, Gill, Kiff, Nees, Walton, Parker. Total 6.

Excused: Angstman, Glancy, Jardine, Paulsen. Total 4.

House Bill No. 469 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barnard, Barnes, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Powell, Powers, Reeder, Regan, Reinecke, Rindy, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Emmons, Mr. Speaker. Total 75.

Noes: Abel, Elting, Higham, Holecek, Parker, Sales, Schwinden. Total 7.

Absent and not voting: Barrett, Bashor, Devier, DeWolfe, McGaffick, Moudree, Picard, Raundal. Total 8.

Excused: Angstman, Glancy, Jardine, Paulsen. Total 4.

House Bill No. 471 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Daniels, Devier, Emmons, Eskildsen, Gilfeather, Gill, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jensen, Karlberg, Langston, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 47.

Noes: Anderson, Babcock, Bashor, Battin, Bentz, Broeder, Cavan, Clowes, Corcoran, Curry, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Powell, Reinecke, Sales, Shea, Sheehy, Walton, Wright. Total 42.

Paired: Paulsen, no; Shelden (Lincoln), aye.

Absent and not voting: None.

Excused: Angstman, Glancy, Jardine. Total 3.

House Bill No. 479 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Bardanouve, McGaffick. Total 2.

Excused: Angstman, Glancy, Jardine, Paulsen. Total 4.

House Bill No. 491 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Sheldon, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Raundal, Strnisha. Total 2.

Excused: Angstman, Glancy, Jardine, Paulsen. Total 4.

House Bill No. 519 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Parker, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 83.

Noes: Battin, Fladager, Haines (Missoula), Holecek, Page (Missoula), Sheldon, Raundal. Total 7.

Absent and not voting: None.

Excused: Angstman, Glancy, Jardine, Paulsen. Total 4.

House Joint Resolution No. 3 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 79.

Noes: Aasheim, Daniels, Fladager, Hanks, McGaffick, Reeder, Sheehy, Sheldon. Total 8.

Absent and not voting: Barnard, Bashor, Parker. Total 3.

Excused: Angstman, Glancy, Jardine, Paulsen. Total 4.

Cerovski requested a Call of the House before the vote was taken on House Bill No. 54. There being a sufficient number of seconds, the Speaker ordered a Call of the House. Upon completion of roll call, Cerovski moved that the Call of the House be dispensed with. Motion carried.

House Bill No. 54 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gilfeather, Gill, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 71.

Noes: Anderson, Battin, Bentz, Broeder, Cavan, Corcoran, Fjare, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Howard, Kiff, Leuthold, Page (Missoula), Reinecke, Sales, Walton, Wright. Total 19.

Absent and not voting: None.

Excused: Angstman, Glancy, Jardine, Paulsen. Total 4.

House Bill No. 54, introduced by Shelden (Lincoln), Holding, Karlberg, Holtz, Healy, Strnisha, Jensen, Powers, Page (Granite), Glancy: A bill for an act entitled: "An act to submit to the qualified electors of the State of Montana an amendment to article III of the Constitution of the State of Montana, relating to the rights of the people of the State of Montana; by adding thereto a new section to be known and designated as section 32 of article III, providing that no law shall be adopted denying or abridging the right of employees to organize and bargain collectively, to form join or assist in representative organizations, to provide by majority selection through free and secret election of such bargaining agent to represent the employees; providing that no law shall abridge the right to provide for union security; providing that the Legislative Assembly may provide by law for uniform application of these principles."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That the Constitution of the State of Montana be amended as hereinafter provided and that the question of such amendment be submitted to the qualified electors of the State of Montana for their approval or rejection at the general election to be held in November, 1960.

Section 2. That the Constitution of the State of Montana be, and the same is hereby amended by adding thereto a new section to be known and designated as section 32 of article III reading as follows:

"Section 32. (a) No law shall be adopted which denies or abridges the right of employees to organize and bargain collectively, to form, join or assist in representative organization; to engage in concerted activities for the purpose of collective negotiation or bargaining or other mutual aid and protection; to provide by majority selection of employees through free and secret election of a bargaining agent to represent all persons included within the scope of any contract or agreement negotiated with any employers.

(b) No law shall be adopted which denies, abridges or prevents the majority of the employees under any contract or agreement, or in any unit appropriate to be included in the scope of any contract or agreement, from forming, joining or assisting in a bargaining organization, and requiring all employees so represented to become members of such majority selected

representative organization (or to contribute uniformly and regularly assessed dues and fees to such majority representative organization).

(c) The provisions of this section are self executing, but the legislative assembly may provide by law for such rules and regulations in conformity herewith for determination of majority representative and unit for representation for more uniform application of this provision."

Section 3. Separate official ballots shall be provided at the general election to be held in November, 1960, which shall have printed thereon "Collective Bargaining Amendment" followed by all of section 32 of article III of the Constitution of the State of Montana as proposed by this act. There shall also be printed on said official ballots, below the said section, squares and the words as follows:

- ☐ For the foregoing amendment to the constitution.
- ☐ Against the foregoing amendment to the constitution.

Each elector who approves this amendment shall mark an "X" in the first square above printed and each elector who rejects it shall mark an "X" in the second square.

Section 4. The votes cast for and against this amendment above proposed shall be counted, canvassed and determined by such officials and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment, the governor of the state shall so declare by public proclamation and the amendment shall be in full force and effect as a part of the constitution from and after the date of such proclamation.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 184 be amended in the title by adding after the last word, the following: "providing an effective date";

Be further amended in section 1, page 2, lines 25 and 26 of the printed bill, by striking out the words: "placed to the credit of the state general fund" and inserting in lieu thereof the words: "transmitted to the public employees retirement board and credited to the judicial retirement fund";

Be further amended in section 2, page 3, lines 16 and 17 of the printed bill, by striking the words: "placed in the state general fund" and inserting in lieu thereof the words: "transmitted to the public employees retirement board and credited to the judicial retirement fund";

Be further amended in section 3, line 5 of the printed bill by striking out the colon after the word "clerk" and inserting a period in lieu thereof, and by striking the words in lines 5, 6 and 7: "it being the intention that all fees arising from the increases made by this act be transmitted to the state treasurer to be credited to the state general fund"; and as amended, do pass.

That House Bill No. 185 be amended in the title by adding after the last words, the following: "and providing an effective date";

Be further amended in section 1, by striking out in line 10 the words: "placed in the state general fund" and inserting in lieu thereof the words: "transmitted to the public employees retirement board and credited to the judicial retirement fund"; and as amended, do pass.

That House Bill No. 276 do pass.

That Senate Amendments to House Bill No. 135 be concurred in.

That House Bill No. 431 do pass.

That Substitute House Bill No. 293 do pass.

That consideration of House Bill No. 233 be passed for the day.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bill correctly enrolled: House Joint Memorial No. 1.

SCHWINDEN.

I have examined House Joint Memorial No. 1 introduced by me and find the same to be correct.

WOOD.

The Speaker signed House Joint Memorial No. 1 in open session, title having first been read.

THIRD READING OF HOUSE BILLS

Senate Amendments to House Bill No. 135, having first been read, were concurred in by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Abel, DeWolfe, Elting, Felt, Holecek, Kiff, Picard, Schwinden, Tonner, Walton, Wayrynen. Total 11.

Excused: Angstman, Glancy, Jardine, Paulsen. Total 4.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Tuesday, February 17, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FORTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 17, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Angstman, Mernin, Page (Granite), and Shea, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-third Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 142, 169, House Joint Memorials Nos. 3 and 9, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:15 o'clock, a.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills No. 317, 192, 193, 372, 386, 387, 388, 430, 416, Sub. 426, House Joint Memorial 12, and 276, Sub. 293, 401 and 431 considered correctly engrossed.

PARKER, Chairman.

COMMUNICATIONS AND PETITIONS

February 11, 1959.

Allen Donohue, Chief Clerk,
Montana House of Representatives,
Capitol,
Helena, Montana.

Dear Mr. Donohue:

Please be informed that I have sent, as instructed in Senate Joint Memorial No. 1, certified copies of such Memorial to the following:

Hon. Richard Nixon.

Hon. Sam Rayburn.

Hon. James E. Murray.

Hon. Mike Mansfield.

Hon. Lee Metcalf.

Hon. LeRoy Anderson.

Hon. John C. Deerfer.

Sincerely yours,
FRANK MURRAY,
Secretary of State.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways and Highway Trans-

portation, having had under consideration House Bill No. 240, respectfully report as follows: That House Bill No. 240 do not pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 274, respectfully report as follows: That House Bill No. 274 do not pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 322, respectfully report as follows: That House Bill No. 322 do not pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 392, respectfully report as follows: That House Bill No. 392 do not pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 405, respectfully report as follows: That House Bill No. 405 do not pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 420, respectfully report as follows: That House Bill No. 420 do not pass.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration House Bill No. 421, respectfully report as follows: That House Bill No. 421 do not pass.

WOOD, Chairman.

Report adopted.

MESSAGE FROM THE SENATE

February 16, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 44 by Siderius et al.

Senate Bill No. 109 by Cumming et al.

Senate Bill No. 168 by Mahoney (Sanders), Cumming.

Senate Bill No. 62 by Committee on Fish and Game.

Senate Bill No. 137 by Sagunsky et al.

Senate Bill No. 126 by Brenner, Mahoney (Garfield).

Senate Bill No. 136 by Durkee.

Substitute Senate Bill No. 150 by Committee on State Boards, Offices and Buildings.

Senate Bill No. 42 by Minette et al.

Senate Bill No. 182 by Minette.

Senate Bill No. 135 by Durkee.

Senate Bill No. 138 by Groff et al.

Senate Bill No. 183 by Minette.

Senate Bill No. 34 by Minette.

Senate Bill No. 105 by McGowan et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Haines (Missoula), that the House reconsider its previous action in adopting an adverse committee report on House Bill No. 274. Haines requested a Call of the House, a roll call vote and that the results thereof be spread on the Journal. There being a sufficient number of seconds, the Speaker ordered a Call of the House. Upon completion of roll call, progress having been reported, Haines moved that the Call of the House be dispensed with. Motion carried.

Motion by Haines for further consideration of House Bill No. 274 failed to carry by the following vote:

Ayes: Anderson, Babcock, Battin, Bentz, Broeder, Cavan, Curry, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Leuthold, Loman, Loughran, Morrison, Nichols, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Rindy, Sales, Walton, Wright. Total 36.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Cеровski, Clowes, Corcoran, Daniels, Devier, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Lees, McGarvey, McNally, McOmber, Moudree, Nees, Parker, Picard, Powers, Raundal, Reeder, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrnen, Wood, Woodring, Wold, Mr. Speaker. Total 50.

Absent and not voting: Bashor, Casey, McGaffick, Nelstead. Total 4.

Excused: Angstman, Mernin, Page (Granite), Shea. Total 4.

Motion was made by Fladager that House Bill No. 295 now on General Orders, be passed for the day. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, and referred to committees:

Senate Bill No. 44, introduced by Siderius, Grandey, Cotton, Reardon, Mahoney (Garfield): A bill for an act entitled: "An act to amend section 75-1633 of the Revised Codes of Montana of 1947, relating to the use of

school rooms for adult education schools or classes and providing for a tax levy not in excess of one mill by the board of county commissioners on property for this purpose made in the same manner as tax levies for elementary and secondary schools or classes; providing that all acts in conflict herewith are hereby repealed." Referred to Committee on Education.

Senate Bill No. 109, introduced by Cumming, Durkee, Rieder, Wilson: A bill for an act entitled: "An act to amend section 26-202.3 of the Revised Codes of Montana, 1947, relating to the definition of 'resident' for the purpose of issuing resident fishing and hunting licenses to members of the armed forces of the United States and their spouses who are assigned to duty in Montana, after a period of thirty (30) days within Montana, shall be considered as a resident; providing for a repealing clause." Referred to Committee on Fish and Game.

Senate Bill No. 168, introduced by Mahoney (Sanders), Cumming: A bill for an act entitled: "An act to amend section 92-104, Revised Codes of Montana of 1947, as amended by chapter 161 of the Laws of Montana, 1953, and section 92-108, Revised Codes of Montana of 1947, relating to the membership of the industrial accident board, the salaries of the members of the board, and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Workmen's Compensation.

Senate Bill No. 62, introduced by Committee on Fish and Game: A bill for an act entitled: "An act to amend section 26-103, Revised Codes of Montana, 1947, relating to the meetings of the Fish and Game Commission, place of meetings, and providing that the commission shall pay rent for space in the state office building until such time as the commission may establish its own offices; and providing for a repealing clause." Referred to Committee on Fish and Game.

Senate Bill No. 137, introduced by Sagunsky, Dussault, Harken: A bill for an act entitled: "An act to amend section 94-1002, Revised Codes of Montana, 1947, and providing certain buildings, places and tracts of land under one ownership are public nuisances if they are used for illegal acts as prohibited by chapter 24 and chapter 30, Revised Codes of Montana, 1947, providing that all acts in conflict herewith are hereby repealed and providing that this act be effective from and after its passage and approval." Referred to Committee on Judiciary.

Senate Bill No. 126, introduced by Brenner, Mahoney (Garfield): A bill for an act entitled: "An act relating to the taxation of small business corporations and providing the definition of a small business corporation; and providing for election to be treated as a small business corporation; and providing for the taxation of corporate earnings through personal income tax of the stockholders; and providing for the retention of the minimum corporation license tax; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Ways and Means.

Senate Bill No. 136, introduced by Durkee: A bill for an act entitled: "An act to amend section 16-1008A, as amended, of the Revised Codes of Montana, 1947, relating to erection and management of county buildings; civic centers; youth centers, park buildings, museums, recreation centers, hospitals; and other improvements by commission to provide for the inclusion of county parks within the purview of this act." Referred to Committee on Townships and Counties.

Substitute Senate Bill No. 150, introduced by Committee on State Boards, Offices and Buildings: A bill for an act entitled: "An act to amend sections 69-2802, 69-2803, and 69-2804 of the Revised Codes of Montana, 1947, as amended, relating to the licensing and regulation of refrigerated lockers to provide for the definition, licensing and regulation of frozen food processing plants; to provide for the repeal of section 69-2814 of the Revised Codes of Montana, 1947, and all other acts or parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions.

Senate Bill No. 42, introduced by Minette, Keister, Stein, Spear, Sagnusky, Wilson, Rice, Streeter, Cotton, Goodwin, Carney: A bill for an act entitled: "An act to amend section 71-410, of the Revised Codes of Montana, 1947, to provide that old age recipients who are enrolled members of recognized Indian tribes may receive not to exceed one hundred dollars (\$100.00) in any one calendar year, as per capita payments from tribal lands or tribal profits, without affecting the amount of their old age assistance; and containing a repealing clause." Referred to Committee on Judiciary.

Senate Bill No. 182, introduced by Minette: A bill for an act entitled: "An act to amend section 71-509, Revised Codes of Montana, 1947, replacement volume 4, relating to the periodic reconsideration and changes in amount of assistance under the public welfare act, part 4—aid to needy dependent children, providing that needy dependent children who are enrolled members of the recognized Indian tribes may receive not to exceed one hundred dollars (\$100.00) in any one calendar year, as per capita payment from tribal lands or tribal profits, without affecting the amount of their assistance; and providing for a repealing clause." Referred to Committee on Judiciary.

Senate Bill No. 135, introduced by Durkee: A bill for an act entitled: "An act to amend section 62-102 of the Revised Codes of Montana, 1947, relating to the limitation of expenditure of county funds for the purpose of acquiring and equipping county parks to provide authorization to expend not to exceed five thousand dollars (\$5,000.00) per annum for maintenance of county parks; to provide that there are no restrictions on expenditures for the purpose of acquisition and equipping of county parks; providing for a repealing clause." Referred to Committee on Townships and Counties.

Senate Bill No. 138, introduced by Groff, Nixon, Cumming, Mannix, Carney, Morrow, Brenner: A bill for an act entitled: "An act to amend section 59-510 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 253 of the laws of 1957, relating to office hours of state offices; to provide that state employees shall work a minimum of forty (40) hours a week; to provide for the repeal of all inconsistent acts or parts of acts in conflict herewith." Referred to Committee on State Boards and Institutions.

Senate Bill No. 183, introduced by Minette: A bill for an act entitled: "An act to amend section 71-607, Revised Codes of Montana, 1947, replacement volume 4, relating to the county welfare board and providing that the amount of assistance to a needy blind person shall be determined by the county welfare board; providing that needy blind recipients who are enrolled members of the recognized Indian tribes may receive not to exceed one hundred dollars (\$100.00) in any one calendar year, as per capita payment from tribal lands, or tribal profits, without affecting the amount of their assistance; providing for a repealing clause." Referred to Committee on Judiciary.

Senate Bill No. 34, introduced by Minette: A bill for an act entitled: "An act to amend section 32-2145, Revised Codes of Montana, 1947, replacement volume 3, providing for the establishment of state speed zones." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 105, introduced by McGowan, Mahoney (Garfield), Hagenston, Stein, Wilson, Keister: A bill for an act entitled: "An act to insure collection of the Montana state income tax upon the income of non-residents, and to provide for withholding of portions of certain payments to nonresidents and payment of the amounts so withheld to the State Board of Equalization as partial payment of such nonresidents' income tax; to provide that certain types of payments shall not be subject to withholding under this act; to provide for the method of collection and payment of amounts withheld; to provide for and define the duties of withholding agents

under the act and penalties for failure of such agents to withhold or pay; and to provide for the powers and duties of the State Board of Equalization, county assessors, and county clerks and recorders under this act." Referred to Committee on Ways and Means.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 317 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, Daniels, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: Elting. Total 1.

Absent and not voting: Barnard, Bashor, Cerovski, Devier, Gleed, Hanks, Langston, McGaffick, Moudree, Parker, Picard. Total 11.

Excused: Angstman, Leuthold, Page (Granite), Shea. Total 4.

House Bill No. 192 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnes, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 83.

Noes: Anderson. Total 1.

Absent and not voting: Barnard, Bashor, Devier, Gleed, McGaffick, Picard. Total 6.

Excused: Angstman, Leuthold, Page (Granite), Shea. Total 4.

House Bill No. 193 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Loman, Loughran, McGarvey, McNally, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 76.

Noes: Broeder, Corcoran, Fjare, Fladager, Hawks, Higham, McOmber, Raundal, Walton, Woodring. Total 10.

Absent and not voting: Gleed, McGaffick, Moudree, Picard. Total 4.

Excused: Angstman, Leuthold, Page (Granite), Shea. Total 4.

House Bill No. 372 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 83.

Noes: Bradford, Corcoran, Schwinden. Total 3.

Absent and not voting: Gleed, McGaffick, Shelden, Woodring. Total 4.

Excused: Angstman, Leuthold, Page (Granite), Shea. Total 4.

House Bill No. 386 was passed by the following vote:

Ayes: Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Loman, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 72.

Noes: Clowes, Corcoran, Elting, Fladager, Haines (Missoula), Hawks, Higham, Moudree, Nelstead, Powell, Raundal, Sheehy. Total 12.

Absent and not voting: Aasheim, Anderson, Gleed, Loughran, McGaffick, Wayrynen. Total 6.

Excused: Angstman, Leuthold, Page (Granite), Shea. Total 4.

House Bill No. 387 was passed by the following vote:

Ayes: Abel, Bardanouve, Barnard, Battin, Bentz, Bradford, Casey, Curry, Daniels, Devier, Emmons, Eskildsen, Felt, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Holding, Holtz, Karlberg, Kiff, Kvaalen, Langston, Lees, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nichols, Paulsen, Picard, Powers, Reeder, Regan, Rindy, Sales, Schwinden, Shelden, Sheldon, Tonner, Walton, Woodring. Total 50.

Noes: Aasheim, Anderson, Babcock, Barnes, Bashor, Broeder, Cavan, Cerovski, Corcoran, Elting, Fjare, Fladager, Haines (Missoula), Hawks, Higham, Holecek, Howard, Jardine, Jensen, Kolar, Moudree, Nees, Nelstead, Page (Missoula), Parker, Powell, Raundal, Reinecke, Sheehy, Strnisha, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 35.

Absent and not voting: Barrett, Clowes, DeWolfe, Gleed, McGaffick. Total 5.

Excused: Angstman, Leuthold, Page (Granite), Shea. Total 4.

House Bill No. 388 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Curry, Daniels, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Holding, Higham, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Mernin, Morrison, Page (Missoula), Paulsen, Picard, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Woodring, Wold, Wright. Total 67.

Noes: Barnes, Cerovski, Corcoran, Elting, Haines (Missoula), Hawks, Holecek, Howard, Moudree, Nees, Nelstead, Nichols, Powell, Sheehy, Wayrynen, Wood, Raundal, Mr. Speaker. Total 18.

Absent and not voting: Devier, DeWolfe, Holtz, Loughran, McGaffick, Parker. Total 6.

Excused: Angstman, Page (Granite), Shea. Total 3.

House Bill No. 430 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Mr. Speaker. Total 83.

Noes: None.

Absent and not voting: Daniels, Emmons, Holecek, McGaffick, Nees, Picard, Woodring, Wright. Total 8.

Excused: Angstman, Page (Granite), Shea. Total 3.

House Bill No. 416 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Hawks, Higham, Holecek, Howard, Jardine, Jensen, Kiff, Kolar, Kvaalen, Leuthold, Loman, Loughran, McGarvey, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Sheldon, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 67.

Noes: Emmons, Gilfeather, Gunderson, Harball, Healy, Holding, Holtz, Karlberg, Lees, McNally, Mernin, Powell, Powers, Regan, Sheehy, Strnisha. Total 16.

Paired: Angstman, aye; Shelden, no.

Absent and not voting: Bradford, Daniels, Glancy, Langston, McGaffick, Tonner, Wayrynen. Total 7.

Excused: Page (Granite), Shea. Total 2.

Substitute House Bill No. 426 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Broeder, Casey, Cerovski, Clowes, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Gilfeather, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nichols, Parker, Picard, Powers, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 65.

Noes: Anderson, Babcock, Battin, Bentz, Cavan, Corcoran, Fjare, Fladager, Gerard, Glead, Kiff, Kolar, Nees, Nelstead, Page (Missoula), Paulsen, Powell, Sales, Wright. Total 19.

Absent and not voting: Daniels, Elting, Glancy, Langston, McGaffick, Raundal, Tonner. Total 7.

Excused: Angstman, Page (Granite), Shea. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Morrison of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 194 do pass.

That House Bill No. 233 be amended in section 1 by striking out in line 8 of the printed bill, the words "amounts due to" and inserting in lieu thereof the words "debts of," and as amended, do pass.

That House Bill No. 350 do pass.

That House Bill No. 375 do pass.

That House Bill No. 376 do pass.

That Substitute House Bill No. 123 do pass.

That House Bill No. 413 do pass.

That House Bill No. 480 do pass.

That House Bill No. 504 do pass.

That House Bill No. 226 do pass.

That House Bill No. 71 be amended in section 1 by inserting in line 8 of the printed bill after the word "case," the words "and in the work of the court.";

Further amend by striking on line 9, in section 1, after the word "a" the words "written petition charging the commission of any," and in lines 9 and 10 the words "or liquor offense";

Further amend in section 2 by striking in the last part of line 5 of the

printed bill and in the first part of line 6 of the printed bill the words "written petition charging a," and by striking in the last part of line 6 of the printed bill the words "or a liquor offense.", and as amended do pass.

MORRISON, Chairman.

Morrison moved for adoption of the Committee of the Whole report.

Substitute motion was made by McGarvey that House Bill No. 194 be segregated from the Committee of the Whole report. Motion carried.

Substitute motion was made by McGarvey that Substitute House Bill No. 123 be segregated from the Committee report. McGarvey requested a roll call vote, the results thereof to be spread on the Journal in full, and asked for a sufficient number of seconds. The required number of seconds arose, and the motion failed to carry by the following vote:

Ayes: Aasheim, Casey, Devier, Fladager, Harball, McGarvey, Nelstead, Parker, Reeder, Tonner. Total 10.

Noes: Anderson, Babcock, Barrett, Barnes, Bentz, Bradford, Broeder, Cavan, Cerovski, Corcoran, Curry, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nichols, Paulsen, Picard, Powell, Raundal, Regan, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 67.

Absent and not voting: Abel, Bardanouve, Barnard, Bashor, Battin, Clowes, Daniels, DeWolfe, Holecek, Langston, McGaffick, Page (Missoula), Powers, Reinecke. Total 14.

Excused: Angstman, Page (Granite), Shea. Total 3.

Motion by Morrison for adoption of the Committee of the Whole report, as amended, carried. Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. Sub. 126, 89, 290 and 323, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that the House recess until 1:45 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. Sub. 260, 138, 255, 307, 315, 325, 349, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 213, respectfully report as follows: That House Bill No. 213 do not pass.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 506, respectfully report as follows: That House Bill No. 506 do not pass.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bill correctly enrolled: House Bill No. 135.

JARDINE, Chairman.

I have examined House Bill No. 135, introduced by me and find the same to be correct.

BATTIN.

The Speaker signed House Bill No. 135 in open session, the title having first been read.

MESSAGE FROM THE GOVERNOR

February 17, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

H. B. No. 142—Introduced by Wood, Barnard and Howard.

Very truly yours,
J. HUGO ARONSON, Governor.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriation measure at length, title and history agreed to, were disposed of in the following manner:

House Joint Memorial No. 12 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barnes, Bashor, Battin, Bentz, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Helding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Barrett, Barnard, Bradford, Broeder, Cavan, Gilfeather, Haines (Missoula), Healy, Kiff, McGaffick, McGarvey, Moudree, Paulsen, Raundal, Reeder. Total 15.

Excused: Angstman, Page (Granite), Shea. Total 3.

House Bill No. 276 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gerard, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 77.

Noes: Aasheim, Nees. Total 2.

Absent and not voting: Barnard, Bradford, Broeder, Cavan, Felt, Gilfeather, Gill, Healy, Holecek, McGaffick, Paulsen, Reeder. Total 12.

Excused: Angstman, Page (Granite), Shea. Total 3.

Substitute House Bill No. 293 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Bashor, Battin, Casey, Cerovski, Corcoran, Curry, Daniels, Devier, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, McGarvey, McNally, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Raundal, Regan, Reinecke, Rindy, Sales, Shelden, Sheldon, Strnisha, Tonner, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 62.

Noes: Barnes, Bentz, Clowes, Fladager, Hanks, Healy, Holding, Jardine, Moudree, Picard, Powell, Powers, Schwinden, Sheehy, Walton, Wayrynen. Total 16.

Absent and not voting: Barnard, Bradford, Broeder, Cavan, DeWolfe, Gilfeather, Lees, Loughran, McGaffick, McOmber, Parker, Paulsen, Reeder. Total 13.

Excused: Angstman, Page (Granite), Shea. Total 3.

House Bill No. 401 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Barrett, Barnes, Bashor, Battin, Bentz, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 81.

Noes: Bardanouve, Daniels. Total 2.

Absent and not voting: Barnard, Bradford, Broeder, Casey, Gilfeather, Loughran, McOmber, Reeder. Total 8.

Excused: Angstman, Page (Granite), Shea. Total 3.

House Bill No. 431 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes,

Bashor, Battin, Bentz, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Tonner, Walton, Wayryn, Wood, Woodring, Wold, Wright, McNally, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Barnard, Bradford, Broeder, Casey, McOmber, Reeder, Strnisha. Total 7.

Excused: Angstman, Page (Granite), Shea. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Morrison of Cascade in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 83 be passed for the day.

That House Bill No. 170 be amended in section 5 by striking out in line 11 of the printed bill, after the word "board," the words: "including the county superintendent," and as amended, do pass.

That House Bill No. 194 be amended in the title on lines 7 and 8 of page 1 of the printed bill by deleting the following words: "providing that the University of Montana is constituted a body corporate and politic";

Be further amended in section 1, in lines 13, 14 and 15 on page 1 of the printed bill, by deleting the following words: "as such, the University of Montana is constituted a body corporate and politic with all the rights, immunities, franchises and endowments heretofore granted or conferred, subject to the general laws of the state.", and as amended, do pass.

That House Bill No. 267 do pass.

That House Bill No. 348 do pass.

That further consideration of House Bill No. 400 be indefinitely postponed.

That House Bill No. 474 do pass.

That the enacting clause be stricken from House Bill No. 475.

That House Bill No. 490 do pass.

That House Bill No. 424 do pass.

That House Bill No. 382 do pass.

MORRISON, Chairman.

Morrison moved that the Committee of the Whole report be adopted.

Substitute motion was made by Gunderson that House Bill No. 474 be segregated from the Committee report. Motion carried.

Substitute motion was made by Kvaalen that House Bill No. 400 be segregated from the Committee report. Motion carried.

Morrison moved that the Committee of the Whole report be adopted, as amended. Motion carried. Amended report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 376, 226, 375, 504, 154, 185, 450, 184, Sub. 123, and H. B. Nos. 350, 413, and 480 considered correctly engrossed.

PARKER, Chairman.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 159, H. J. M. 1, H. J. M. 2 and H. J. M. 10, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:05 o'clock p.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 145, 211, Subs. H. B. 294, 303, 330, 441, 478, beg leave to report that the same have this date been returned from the printer correctly printed.

DEVIER, Vice-Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Substitute House Bill No. 123 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Barrett, Barnes, Bentz, Bradford, Cavan, Cerovski, Clowes, Corcoran, Curry, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Loman, McNally, McOmber, Morrison, Moudree, Nichols, Page (Missoula), Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Sheldon, Walton, Wood, Wold, Wright, Mr. Speaker. Total 57.

Noes: Bardanouve, Bashor, Broeder, Daniels, Devier, Fladager, Glancy, Hanks, Harball, Holecek, Jardine, Leuthold, McGaffick, McGarvey, Nees, Nelstead, Parker, Reeder, Schwinden, Shelden, Strnisha, Tonner. Total 22.

Absent and not voting: Abel, Barnard, Battin, Casey, Gleed, Hawks, Jensen, Loughran, Page (Granite), Sheehy, Wayrynen, Woodring. Total 12.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 154 was passed by the following vote:

Ayes: Anderson, Babcock, Bardanouve, Barrett, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Corcoran, Daniels, Devier, Emmons, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Higham, Holtz, Howard, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, Morrison, Nelstead, Parker, Paulsen, Picard, Powers, Regan, Reinecke, Sales, Sheehy,

Sheldon, Tonner, Walton, Wayrynen, Wood, Wright, Mr. Speaker. Total 55.

Noes: Aasheim, Barnes, Bashor, Clowes, Elting, Eskildsen, Fladager, Haines (Missoula), Holding, Holecek, Karlberg, Kiff, Langston, McOmber, Moudree, Nees, Nichols, Page (Missoula), Powell, Raundal, Reeder, Rindy, Schwinden, Shelden, Strnisha, Wold. Total 26.

Absent and not voting: Abel, Barnard, Casey, Curry, DeWolfe, Hawks, Jardine, Jensen, Page (Granite), Woodring. Total 10.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 184 was passed by the following vote:

Ayes: Anderson, Babcock, Barrett, Barnes, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Daniels, Devier, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Higham, Holtz, Howard, Jardine, Jensen, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, Morrison, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powers, Reeder, Regan, Reinecke, Sales, Sheehy, Strnisha, Tonner, Walton, Wood, Wright, Mr. Speaker. Total 58.

Noes: Aasheim, Bashor, Broeder, Elting, Emmons, Fladager, Haines (Missoula), Holding, Holecek, Karlberg, Kiff, McNally, McOmber, Moudree, Nees, Powell, Raundal, Rindy, Schwinden, Sheldon, Wayrynen, Wold. Total 22.

Absent and not voting: Abel, Bardanouve, Barnard, Curry, DeWolfe, Hawks, McGaffick, Page (Granite), Picard, Shelden, Woodring. Total 11.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 185 was passed by the following vote:

Ayes: Anderson, Babcock, Barrett, Barnard, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Emmons, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Higham, Holtz, Howard, Jardine, Jensen, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, Morrison, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powers, Reeder, Regan, Reinecke, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wood, Wright, Mr. Speaker. Total 60.

Noes: Aasheim, Barnes, Bashor, Broeder, Elting, Eskildsen, Fladager, Haines (Missoula), Holding, Holecek, Karlberg, Kiff, McNally, McOmber, Moudree, Nees, Nelstead, Powell, Raundal, Rindy, Sales, Schwinden, Shelden, Wayrynen, Wold. Total 25.

Absent and not voting: Abel, Bardanouve, Curry, Hawks, Page (Granite), Woodring. Total 6.

Excused: Angstman, Mernin, Shea. Total 3.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 424, 382, and 348 considered correctly engrossed, and Nos. 71 and 233 correctly engrossed.

PARKER, Chairman.

House Bill No. 226 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard,

Bashor, Battin, Bentz, Bradford, Casey, Cavan, Clowes, Corcoran, Daniels, Devier, DeWolfe, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Healy, Holding, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Walton, Wood, Wright, Mr. Speaker. Total 68.

Noes: Barnes, Broeder, Cerovski, Elting, Eskildsen, Gleed, Harball, Higham, Moudree, Powers, Raundal, Sheldon, Tonner, Wold. Total 14.

Absent and not voting: Abel, Curry, Hawks, Holecek, McGaffick, Nees, Page (Granite), Wayrynen, Woodring. Total 9.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 350 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Healy, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Gilfeather, Mr. Speaker. Total 77.

Noes: Barnes, Holding, Higham, Jardine, Moudree. Total 5.

Absent and not voting: Abel, Daniels, Gerard, Hanks, Hawks, Holecek, Page (Granite), Parker, Woodring. Total 9.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 375 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, DeWolfe, Emmons, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McNally, McOmber, Morrison, Nichols, Page (Missoula), Paulsen, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Shelden, Strnisha, Walton, Wayrynen, Wood, Wold, Wright. Total 61.

Noes: Barnes, Clowes, Elting, Eskildsen, Fladager, Harball, Jardine, Loughran, McGarvey, Moudree, Nees, Nelstead, Parker, Raundal, Sales, Schwinden, Sheehy, Sheldon, Tonner, Mr. Speaker. Total 20.

Absent and not voting: Abel, Barnard, Daniels, Devier, Hanks, Hawks, Holecek, Page (Granite), Picard, Woodring. Total 10.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 376 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick,

McGarvey, McNally, McOmber, Morrison, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 73.

Noes: Barnes, Cerovski, Eskildsen, Fladager, Harball, Moudree, Nees, Raundal, Sales, Sheehy, Sheldon. Total 11.

Absent and not voting: Abel, Daniels, Hawks, Holecek, Page (Granite), Picard, Woodring. Total 7.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 413 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 81.

Noes: Moudree. Total 1.

Absent and not voting: Abel, Daniels, Devier, Gerard, Hawks, Holecek, Loughran, Page (Granite), Woodring. Total 9.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 450 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Daniels, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheldon, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 72.

Noes: Cerovski, Curry, Devier, Higham, Jardine, McGaffick, McOmber, Raundal, Sheehy, Walton. Total 10.

Absent and not voting: Abel, DeWolfe, Gerard, Hawks, Holecek, Loughran, Page (Granite), Powers, Woodring. Total 9.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 480 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Mis-

soula), Parker, Paulsen, Picard, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Abel, Hawks, Holecek, Loughran, Page (Granite), Powers, Woodring. Total 7.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 504 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Barnes, Bashor, Battin, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, Emmons, Eskildsen, Felt, Fjare, Gerard, Glancy, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Healy, Holding, Higham, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loughran, McGaffick, McNally, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Picard, Powers, Reeder, Regan, Reinecke, Sales, Sheehy, Shelden, Strnisha, Wayrynen, Wold, Mr. Speaker. Total 55.

Noes: Bardanouve, Barnard, Bentz, Bradford, Cerovski, Daniels, Devier, DeWolfe, Elting, Fladager, Gilfeather, Harball, Holtz, Loman, McGarvey, McOmber, Moudree, Parker, Paulsen, Powell, Raundal, Rindy, Schwinden, Sheldon, Tonner, Walton, Wood, Wright. Total 28.

Absent and not voting: Abel, Barrett, Gill, Gunderson, Hawks, Holecek, Page (Granite), Woodring. Total 8.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 424 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Curry, Daniels, Devier, DeWolfe, Emmons, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Hanks, Higham, Holtz, Howard, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McOmber, Morrison, Nees, Nelstead, Paulsen, Picard, Powers, Reeder, Regan, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, McNally, Mr. Speaker. Total 63.

Noes: Battin, Cerovski, Corcoran, Elting, Fladager, Gleed, Haines (Missoula), Harball, Healy, Holding, Jardine, Kiff, Loughran, Moudree, Nichols, Page (Missoula), Powell, Raundal, Reinecke, Sales. Total 20.

Absent and not voting: Abel, Clowes, Eskildsen, Hawks, Holecek, Page (Granite), Parker, Woodring. Total 8.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 382 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Morrison, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales,

Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 83.

Noes: Moudree. Total 1.

Absent and not voting: Abel, Hawks, Holecek, McGarvey, Nees, Page (Granite), Woodring. Total 7.

Excused: Angstman, Mernin, Shea. Total 3.

MESSAGE FROM THE SENATE

February 17, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by the Committee on County Affairs reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 99 by Shelden (Lincoln) et al.

House Bill No. 101 by Clowes et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Gunderson that House Bill No. 474 be laid on the table. Sheehy requested a roll call vote, and that the record thereof be spread on the Journal in full. There being a sufficient number of seconds, a roll call vote was taken as follows:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barnes, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gleed, Gunderson, Haines (Missoula), Hanks, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Leuthold, Loman, McGarvey, McNally, McOmber, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Raundal, Reeder, Reinecke, Sales, Schwinden, Shelden, Walton, Wright, Mr. Speaker. Total 58.

Noes: Barrett, Curry, Daniels, Gilfeather, Gill, Glancy, Harball, Healy, Langston, Lees, Loughran, Morrison, Picard, Powers, Regan, Rindy, Sheehy, Sheldon, Tonner, Wayrynen, Wood, Wold. Total 22.

Absent and not voting: Abel, Barnard, Bashor, Casey, Haines (Prairie), Hawks, McGaffick, Nees, Page (Granite), Strnisha, Woodring. Total 11.

Excused: Angstman, Mernin, Shea. Total 3.

Motion by Gunderson carried: House Bill No. 474 tabled.

Motion was made by Wayrynen that House Bill No. 400 be tabled. Motion failed to carry.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 490 and 267.

PARKER, Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 348 was passed by the following vote:

Ayes: Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, McGaffick, McGarvey, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright. Total 75.

Noes: Fladager, Glancy, Healy. Total 3.

Absent and not voting: Aasheim, Abel, Casey, Devier, Hawks, Holecek, Langston, Loughran, McNally, Page (Granite), Picard, Woodring, Mr. Speaker. Total 13.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 71 was passed by the following vote:

Ayes: Anderson, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Broeder, Cavan, Cerovski, Corcoran, Daniels, Devier, Emmons, Felt, Fladager, Gerard, Gill, Glancy, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Howard, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Reeder, Rindy, Sales, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright. Total 62.

Noes: Aasheim, Bardanouve, Bentz, Bradford, Casey, Clowes, Curry, DeWolfe, Elting, Eskildsen, Fjare, Gilfeather, Gunderson, Healy, Holtz, Jardine, Kolar, McGaffick, Morrison, Moudree, Parker, Powers, Raundal, Regan, Reinecke, Schwinden, Sheehy, Mr. Speaker. Total 28.

Absent and not voting: Abel. Total 1.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 233 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright. Total 86.

Noes: None.

Absent and not voting: Abel, Nees, Page (Granite), Powers, Mr. Speaker. Total 5.

Excused: Angstman, Mernin, Shea. Total 3.

House Bill No. 490 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Daniels, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Hawks, Healy, Holding, Higham, Holecek, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loughran, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Paulsen, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wood, Wold, Wright. Total 66.

Noes: Bardanouve, Bradford, Clowes, Devier, Eskildsen, Gilfeather, Harball, Holtz, Langston, McGaffick, McGarvey, Parker, Picard, Shelden, Mr. Speaker. Total 15.

Absent and not voting: Abel, Gerard, Loman, Nees, Page (Granite), Powell, Powers, Raundal, Wayrynen, Woodring. Total 10.

Excused: Angstman, Mernin, Shea. Total 3.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. Sub. 305, Sub. 333, 357, 335, 418, 406, 411, 463, 464, 484, Sub. 509, 418, Sub. 80, 130, Sub. 131, 200, 269, Sub. 358, Sub. 397, 459, 460, 465, Sub. 494, 501, 502, 523, 292, Sub. 455, beg leave to report that the same have this date been returned from the printer correctly printed.

ELTING.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 355, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that the House adjourn until 9:00 a.m., Wednesday, February 18, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FORTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 18, 1959

House convened at 9:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel, Angstman and Shea, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-fourth Legislative Day, find the same to be correct.

ESKILDSSEN, Chairman.

MESSAGE FROM THE GOVERNOR

February 17, 1959.

Honorable Paul Cannon,
President of the Senate.

Honorable John J. MacDonald,
Speaker of the House of Representatives.

Sirs:

I am returning Senate Bill 63 without my approval for the following reasons:

This is similar legislation to Substitute Senate Bill No. 78 of the 35th Legislative Assembly. I returned that legislation to you without my approval, and there has been no change during the past two years which has altered my views.

The Montana Liquor Control Board is still a board of major importance to the State of Montana. It still controls a state monopoly, which provided more than one-fifth of the state's general fund revenue during the last two fiscal years. In view of its unique character and position in our state government and our economy, I repeat my reasons for objecting to such legislation.

Since the creation of the Montana Liquor Control Board in 1933, the declared public policy of this board and of the State of Montana has been that no member or employee of the Liquor Control Board shall be interested in the liquor business, either directly or indirectly. There has been no deviation from this policy, which was reaffirmed in 1937 with the enactment of the Retail Liquor License Act, which legalized the sale of liquor by the drink through licensed retail establishments.

Senate Bill 63, if allowed to become law, would reverse this long-standing policy by permitting the appointment of a licensed retail beer and liquor dealer as one of the three members of the Montana Liquor Control Board. This is foot-in-the-door legislation that could eventually lead to the complete ineffectiveness of the Control Board, as we now know it.

No beneficial purpose would be served by approval of this bill. On the contrary, it would tend to weaken our state liquor control system and subvert the legitimate purposes of the existing body of law relating to alcoholic beverages and the sale and distribution of these beverages.

The paramount duty of the Liquor Control Board is to foster and protect the interests of the public at large in matters concerning liquor. Obviously, the public interest is not synonymous in all respects with the interests of retail liquor and beer dealers. This is particularly true in matters involving the issuance of retail licenses and the suspension or revocation of such licenses for violations of the laws.

Normally, control without representation is not a part of our democratic way of government. However, the operations of the liquor industry are certainly not within the bounds of the normal. The very nature of the industry and the obvious effects of its product upon the lives of people within Montana make it imperative that control in no way originates within the industry.

In addition, the operations supervised by the Liquor Control Board are a vital source of income for the State of Montana. Allowing any vested interest to gain a foothold in such a supervisory board might adversely affect the revenues which help finance state operations. This would not be in the best interests of the public, including the liquor industry.

In addition, I would be negligent if I did not mention the fact that

approval of such legislation would result in the Liquor Control Board becoming a political football every four years. Since appointment of a liquor and beer retail license holder is only permissive, any future candidate for Governor of Montana would be faced with extreme pressures from persons on both sides of this issue. This should not be, as politics and liquor, just as oil and water, do not mix.

This position is entirely consistent with my views and policy of keeping politics out of the Liquor Control Board, as far as its operation is concerned.

Senate Bill 63 has an undesirable effect, besides those present in the previous similar bill. Section 2 of S. B. 63 exempts all Liquor Control Board members from certain restraints placed upon them by existing law. Under this section all board members could be interested in liquor sales and deal in liquor. This further convinces me of the undesirability of this legislation.

For these reasons I am returning Senate Bill 63 without my approval.

Very truly yours,
J. HUGO ARONSON, Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Schwinden that the Special Order of Business including House Bills Nos. 307, 303, Sub. 337 and 315 on General Orders, be set for 10:30 a.m. this day. Motion carried.

Motion was made by Wood that a second Special Order of Business on highway revenue bills Nos. Sub. 228, 269, 301 and 325, be set for 2:00 p.m. this day. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cеровski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Wood of Chouteau in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 255 do pass.

That consideration of Sub. House Bill No. 397 be passed temporarily.

That Sub. House Bill No. 131 do pass.

That Sub. House Bill No. 397 do pass.

WOOD, Chairman.

Report adopted.

Motion was made by Cеровski that the House resolve itself into a Committee of the Whole for consideration of business under Special Order of Business set by a previous motion, under the rules of the previous sitting. Motion carried.

Barrett of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under

consideration business under Special Order of Business, recommend the following:

That House Bill No. 307 do pass.

That House Bill No. 303 be amended in section 1, on page 1, line 11 of the printed bill, by inserting after the word "sources" the following words: "within the State of Montana as"; and as amended, do pass.

That Sub. House Bill No. 337 be amended in the title, in the printed bill, lines 6 through 14 of the title, by striking out the following words: "and to provide that the tax on beer in containers of less capacity than a barrel of thirty-one (31) gallons shall be computed at the barrelage rate of one and 50/100 dollars (\$1.50) by the Montana Liquor Control Board, and to facilitate the identification of containers and the determination and computation of taxes applicable thereto by specifying the sizes of containers in which beer may be sold or offered for sale in the State of Montana, and providing for severability of the provisions of this act."

Be amended further in section 2 by striking out that section in its entirety, and inserting in lieu thereof, the following:

"Section 2. That section 4-324, Revised Codes of Montana, 1947, be, and the same is hereby amended to read as follows:

'4-324. (2815.29) Tax on imported beer—computation in case of barrels of capacity other than thirty-one gallons. A tax of (matter deleted) one and 50/100 dollars (\$1.50) per barrel of thirty-one (31) gallons, is hereby levied and imposed on each and every barrel of beer manufactured out of this state and sold herein by any wholesaler, which said tax shall be due at the end of each month from said wholesaler, upon any such beer so sold by him during that month. As to any beer imported and sold in containers other than barrels, or in barrels of more or less capacity than thirty-one (31) gallons, the quantity content shall be ascertained and computed by the board in determining the amount of tax due, as herein provided for.'";

Be amended further by striking out in its entirety section 3 thereof;

Be amended further by renumbering section 4 to read "section 3.";

Be amended further by renumbering section 5 to read "section 4.";

And as amended, that House Bill No. 337 do pass.

That House Bill No. 315 be amended in section 1 by striking out in line 20 the letter (h); and as amended, do pass.

BARRETT, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 1:45 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

MESSAGE FROM THE GOVERNOR

February 18, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

H. J. M. No. 9—Introduced by Haines (Missoula), Howard, Page (Missoula), Holding and Karlberg.

Very truly yours,
J. HUGO ARONSON, Governor.

Curry rose on a point of order concerning Sub. House Bill No. 397, and quoted House Rule No. 12. Gerard moved that the question be referred to the Rules Committee. Motion carried.

Cerovski moved that the House recess subject to the Call of the Chair. Motion carried. House recessed.

House resumed.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 524, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money to the Board of Examiners for the payment of certain contract obligations at the Montana state prison, said lands under contract known as Deer Lodge Valley Farms, payment of lease on certain state and forest lands, payment of taxes on lands under purchase contract and to pay interest on unpaid balance; for obligations to the international roll call corporation; and providing for an effective date."

MOTIONS AND RESOLUTIONS

Cerovski moved that the House Rules be amended for the purpose of limiting debate on General Orders from five minutes to three. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under the Special Order of Business set for this time by a previous motion, and under the rules as passed this day. Motion carried.

Barrett of Liberty in the Chair.

House resumed. Mr. Speaker in the Chair. Committee arose.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Special Order of Business, recommend the following:

That Sub. House Bill No. 228 do pass.

That House Bill No. 301 be amended in section 2, in line 7, page 1 of the printed bill, after the word "to" and before the word "seven" by striking the following: "(matter deleted)";

Be amended further in section 2, in line 7, page 1 of the printed bill, after the word "cents" and before the figure "(7¢)", by striking the following: "(matter deleted)"; and as amended, do pass.

That House Bill No. 325 do pass.

BARRETT, Chairman.

Report adopted.

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules as passed this day. Motion carried.

Barrett of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 460 do pass.

That Sub. House Bill No. 494 do pass.

That consideration of House Bill No. 502 be passed temporarily.

BARRETT, Chairman.

Report adopted.

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under Special Order of Business, under the rules of the previous sitting. Motion carried.

Barrett of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Special Order of Business, recommend the following:

That the enacting clause be stricken from House Bill No. 269.

BARRETT, Chairman.

Motion was made by Barrett for adoption of the Committee report.

Substitute motion was made by Gerard that Sub. House Bill No. 269 be segregated from the Committee report. Gerard requested a Call of the House, and a roll call vote to be spread on the Journal. There being a sufficient number of seconds, the Speaker ordered a Call of the House. Upon completion of roll call, Gerard moved that the Call of the House be dispensed with, progress having been shown. Motion carried.

Substitute motion by Gerard failed to carry by the following vote:

Ayes: Anderson, Babcock, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Curry, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Healy, Higham, Howard, Kiff, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Powell, Regan, Reinecke, Rindy, Sales, Walton, Wright. Total 42.

Noes: Aasheim, Abel, Bardanouve, Barnard, Barnes, Bradford, Cerovski, Clowes, Corcoran, Daniels, Devier, Emmons, Eskildsen, Gilfeather, Gill, Gunderson, Hanks, Harball, Helding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, McGarvey, McOmber, Mernin, Moudree, Nees, Parker, Picard, Powers, Raundal, Reeder, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 46.

Paired: Kolar, aye: Barrett, no.

Absent and not voting: Glancy. Total 1.

Excused: Angstman, McNally, Shea. Total 3.

Motion by Barrett carried, and Committee report adopted.

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Barrett of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 501 do pass.

That the enacting clause be stricken from House Bill No. 509.

That House Bill No. 357 do pass.

That Sub. House Bill No. 358 do pass.

That Sub. House Bill No. 260 do pass.

That House Bill No. 459 do pass.

That House Bill No. 292 do pass.

That House Bill No. 455 be amended in section 3 by striking that section in its entirety.

Be amended further by changing "section 4" to read "section 3," "section 5" to read "section 4" and "section 6" to read "section 5"; and as amended, do pass.

That House Bill No. 323 do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: Sub. 228,, 301, 325, 307, 303, 337, 315, 255, 170, 194, and Sub. 131 and Sub. 397 considered correctly engrossed.

PARKER, Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 267 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Corcoran, Curry, Daniels, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nestead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 81.

Noes: Clowes, Moudree. Total 2.

Absent and not voting: Cerovski, Devier, Langston, Loughran, Nees, Powell, Strnisha. Total 7.

Excused: Angstman, Broeder. Kolar, Shea. Total 4.

Sub. House Bill No. 228 was passed by the following vote:

Ayes: Aasheim, Bardanouve, Barrett, Barnard, Barnes, Bradford, Clowes, Daniels, Devier, Emmons, Gilfeather, Gill, Gunderson, Hanks, Harball, Healy, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 44.

Noes: Anderson, Babcock, Bashor, Battin, Bentz, Casey, Cavan, Corcoran, Curry, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Glancy, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales Walton, Wright. Total 41.

Paired: Broeder, no; Sheldon, aye; Kolar, no; Abel, aye; Angstman, no; Holding, aye; Shea, no; Eskildsen, aye.

Absent and not voting: Cerovski. Total 1.

Excused: None.

House Bill No. 301 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Clowes, Corcoran, Daniels, Devier, DeWolfe, Eskildsen, Felt, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Higham, Holtz, Howard, Karlberg, Kvaalen, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McOmber, Mernin, Morrison, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Reeder, Reinecke, Rindy, Sales, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 60.

Noes: Anderson, Battin, Bentz, Cavan, Cerovski, Curry, Elting, Emmons, Fjare, Fladager, Gerard, Gleed, Hawks, Holding, Holecek, Jardine, Jensen, Kiff, Loman, McNally, Moudree, Nichols, Picard, Powers, Raundal, Regan, Schwinden, Sheldon. Total 28.

Paired: Shea, aye; Nees, no; Babcock, aye; Broeder, no.

Absent and not voting: None.

Excused: Angstman, Kolar. Total 2.

House Bill No. 325 was passed by the following vote:

Ayes: Abel, Anderson, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Clowes, Daniels, Devier, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Karlberg, Langston, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nichols, Page (Granite), Page (Missoula), Picard, Powers, Reeder, Rindy, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 59.

Noes: Aasheim, Babcock, Bashor, Battin, Bentz, Cavan, Cerovski, Corcoran, Curry, DeWolfe, Elting, Fladager, Haines (Prairie), Hanks, Jardine, Jensen, Kiff, Kvaalen, Lees, Leuthold, Loughran, Moudree, Nelstead, Parker, Paulsen, Powell, Raundal, Regan, Reinecke, Wright. Total 30.

Absent and not voting: Broeder, Kolar, Sales. Total 3.

Excused: Angstman, Shea. Total 2.

House Bill No. 307 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cerovski, Clowes, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Langston, Lees, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 60.

Noes: Anderson, Babcock, Battin, Bentz, Cavan, Corcoran, Curry, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Hawks, Higham, Kiff, Kvaalen, Leuthold, Loman, Loughran, Morrison, Nelstead, Paulsen, Powell, Regan, Reinecke, Sales, Walton, Wright. Total 30.

Absent and not voting: None.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 303 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cerovski, Clowes, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fladager, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Kvaalen, Langston, Lees, Leuthold, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 66.

Noes: Anderson, Babcock, Battin, Bentz, Cavan, Corcoran, Curry, Felt, Fjare, Gerard, Gleed, Haines (Prairie), Hawks, Higham, Howard, Kiff, Loman, Loughran, Morrison, Nichols, Paulsen, Regan, Reinecke. Total 23.

Absent and not voting: McGaffick. Total 1.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

Substitute House Bill No. 337 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Holding, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McOmber, Morrison, Moudree, Nees, Nichols, Page (Granite), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 73.

Noes: Casey, Cavan, Corcoran, Eskildsen, Gleed, Haines (Missoula), Healy, Higham, McNally, Mernin, Nelstead, Page (Missoula), Picard, Sales. Total 14.

Absent and not voting: Abel, Glancy, McGaffick. Total 3.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 315 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Corcoran, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Lees, Leuthold, McGarvey, McNally, McOmber, Moudree, Nees, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wood, Woodring, Wold, Mr. Speaker. Total 53.

Noes: Anderson, Babcock, Bashor, Battin, Bentz, Cavan, Clowes, Curry, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kvaalen, Loman, Loughran, Mernin, Morrison, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Walton, Warynnen, Wright. Total 36.

Absent and not voting: McGaffick. Total 1.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 255 was passed by the following vote:

Ayes: Asheim, Abel, Anderson, Babcock, Bardanouve, Barnard, Barnes, Barrett, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Warynnen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 89.

Noes: Powell. Total 1.

Absent and not voting: None.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, having had under consideration Sub. House Bill No. 397, respectfully report as follows: That the point of order is not well taken and that Substitute House Bill No. 397 be admitted for further consideration.

CEROVSKI, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess until 8:15 p.m. this day. Motion carried.

House recessed.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 170 was passed by the following vote:

Ayes: Aasheim, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cavan, Cerovski, Clowes, Devier, DeWolfe, Emmons, Eskildsen, Fladager, Gilfeather, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Jensen, Kiff, Langston, Lees, Loman, McGarvey, McNally, Mernin, Morrison, Moudree, Nees, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 55.

Noes: Babcock, Battin, Bentz, Corcoran, Curry, Elting, Felt, Fjare, Gerard, Gleed, Hawks, Higham, Howard, Karlberg, Kvaalen, Leuthold, Nelstead, Regan, Reinecke, Sales, Walton, Woodring, Wright, Anderson. Total 24.

Absent and not voting: Abel, Daniels, Gill, Jardine, Loughran, McGaffick, McOmber, Nichols, Picard, Reeder, Sheehy. Total 11.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 194 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Bentz, Casey, Cavan, Cerovski, Clowes, Devier, DeWolfe, Elting, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, Morrison, Moudree, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Woodring, Wright, Mr. Speaker. Total 64.

Noes: Bradford, Corcoran, Curry, Emmons, Eskildsen, Fladager, Loughran, McNally, Mernin, Picard, Regan, Reinecke, Sales, Wayrynen, Wood, Wold. Total 16.

Absent and not voting: Abel, Barnard, Battin, Daniels, Jardine, McGaffick, McOmber, Nichols, Reeder, Sheehy. Total 10.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

Sub. House Bill No. 131, being a bill calling for a constitutional amendment and requiring a two-thirds vote to pass, failed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cavan, Cerovski, Clowes, Devier, Emmons, Felt, Gilfeather, Gill, Glancy, Gleed, Gunderson, Hanks, Harball, Healy, Holecek, Holtz, Jardine, Jensen, Langston, Lees, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Page (Granite), Picard, Powers, Raundal, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold Mr. Speaker. Total 50.

Noes: Anderson, Babcock, Bashor, Battin, Bentz, Corcoran, Curry, DeWolfe, Elting, Eskildsen, Fjare, Fladager, Gerard, Haines (Prairie), Haines (Missoula), Hawks, Holding, Higham, Howard, Karlberg, Kiff, Kvaalen, Leuthold, Loman, Loughran, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Walton, Woodring, Wright. Total 36.

Absent and not voting: Daniels, McGaffick, Parker, Reeder. Total 4.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

Sub. House Bill No. 397 passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Barnes, Bashor, Battin,

Bentz, Bradford, Casey, Cerovski, Clowes, Devier, Elting, Emmons, Eskildsen, Felt, Fladager, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powers, Raundal, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 62.

Noes: Anderson, Babcock, Cavan, Corcoran, Curry, Fjare, Gerard, Glead, Haines (Prairie), Hawks, Higham, Howard, Leuthold, Loman, Loughran, Moudree, Paulsen, Powell, Regan, Reinecke, Sales, Walton, Wright. Total 23.

Absent and not voting: Barrett, Daniels, DeWolfe, McGaffick, Reeder. Total 5.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Barrett of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 502 do pass.

That House Bill No. 330 do pass.

That Sub. House Bill No. 333 be amended in section 3 by striking on pages 4 and 5 of the printed bill, lines 44, 45, 46, 47, 48 and 49 in their entirety;

Be amended further in section 8 on page 7, line 7 of the printed bill by striking the words "(matter deleted)" and inserting in lieu thereof the following words: "provided that the total period over which compensation shall be payable for two or more classes of disability, including death, resulting from any compensable injury, shall not extend for a period of more than five hundred (500) weeks, and"; as amended, do pass.

That House Bill No. 335 do pass.

That Sub. House Bill No. 294 be amended in the title by adding after the word "district" the words "containing a repealing clause";

Be amended further by striking section 6 in its entirety; and as amended, do pass.

That the enacting clause be stricken from House Bill No. 295.

That Sub. House Bill No. 80 do pass.

That House Bill No. 89 be amended in the title after the word "act" on line 20 of the original bill, by adding the words "providing for waiver and severability";

Be amended further in section 8, by striking out in line 17 of the printed bill, the words and figures "twelve dollars (\$12.00)" and inserting the words and figures "eleven dollars (\$11.00)"; on line 19 strike "ten dollars (\$10.00)" and insert the words and figures "nine dollars (\$9.00)";

and on lines 21 and 22 strike the words and figures "eight dollars (\$8.00)" and insert the words and figures "seven dollars (\$7.00)"; and as amended, that House Bill No. 89 do pass.

That Sub. House Bill No. 126 do pass.

That House Bill No. 138 do pass.

That House Bill No. 145 be amended in the title by striking on line 11 the following words: "providing an effective date of act";

Be amended further by striking out in lines 7, 8, 9, 10 and 11 in section 24, on page 25, the following sentence: "in prescribing rules and forms the commissioner may cooperate with the securities administrators of the other states and the securities and exchange commission with a view to effectuating the policy of this act to achieve maximum uniformity in the form and content of registration statements, applications, and reports wherever practicable";

Be further amended by striking section 29 in its entirety;

And as amended, do pass.

That House Bill No. 200 be amended in the title by adding after the word "state" the words "and containing a severability clause" and as amended, do pass.

That House Bill No. 211 do pass.

That House Bill No. 290 be amended by striking from the title the words "and providing an effective date"; and as amended, do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 135, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 2:30 o'clock p.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 323, 501, 357, 459, 460, and Sub. H. B. No. 358—and H. B. 292 and Sub. H. B. Nos. 260 and 494 considered correctly engrossed.

PARKER, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. B. Nos. 335, and Sub. H. B. 455, 333 and Sub. 80 considered correctly engrossed.

PARKER, Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 323 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanoue, Barrett, Barnard, Bashor, Bentz, Bradford, Casey, Cerovski, Clowes, Curry, Devier, DeWolfe, Elting, Emons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Langston, Lees, Loughran, McGarvey, McNally, McOmber, Mernin,

Morrison, Page (Granite), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Mr. Speaker. Total 60.

Noes: Anderson, Babcock, Barnes, Battin, Cavan, Corcoran, Felt, Fladager, Gerard, Gleed, Haines (Prairie), Hawks, Higham, Kiff, Kvaalen, Leuthold, Loman, Moudree, Nees, Nelstead, Page (Missoula), Powell, Reinecke, Sales, Wright. Total 25.

Absent and not voting: Daniels, Fjare, McGaffick, Nichols, Wayrynen. Total 5.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 501 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardonouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Felt, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 81.

Noes: Elting, Jardine, Nees. Total 3.

Absent and not voting: Daniels, Eskildsen, Fjare, Gill, McGaffick, Reeder. Total 6.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 357 was passed by the following vote:

Ayes: Abel, Bardonouve, Barrett, Barnard, Barnes, Bentz, Bradford, Casey, Cerovski, Clowes, Curry, Daniels, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Kiff, Langston, Lees, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wood, Woodring, Wold, Mr. Speaker. Total 56.

Noes: Aasheim, Anderson, Babcock, Bashor, Battin, Cavan, Corcoran, Devier, Elting, Felt, Fladager, Gerard, Gleed, Haines (Missoula), Hawks, Higham, Howard, Kvaalen, Leuthold, Loman, Moudree, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Reinecke, Sales, Walton, Wright. Total 30.

Absent and not voting: DeWolfe, Fjare, Nees, Wayrynen. Total 4.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 459 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardonouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber,

Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 85.

Noes: Curry, Kvaalen, Reinecke. Total 3.

Absent and not voting: Fjare, Loughran. Total 2.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 460 was passed by the following vote:

Ayes: Abel, Anderson, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 76.

Noes: Babcock, Battin, Corcoran, Hanks, Kiff, Mernin, Powell, Sales, Wright. Total 9.

Absent and not voting: Aasheim, Cerovski, Fjare, Moudree, Picard. Total 5.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

Sub. House Bill No. 358 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Bashor, Bradford, Casey, Clowes, Daniels, Devier, Elting, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Lees, McGaffick, McGarvey, McNally, McOmber, Mernin, Nees, Nelstead, Page (Granite), Page (Missoula), Picard, Powers, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Woodring, Wold, Mr. Speaker. Total 51.

Noes: Anderson, Barnes, Battin, Bentz, Cavan, Cerovski, Corcoran, Curry, Felt, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kvaalen, Leuthold, Loman, Loughran, Morrison, Moudree, Nichols, Paulsen, Powell, Raundal, Regan, Reinecke, Sales, Walton, Wright. Total 33.

Absent and not voting: Babcock, DeWolfe, Fjare, Parker, Reeder, Wood. Total 6.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 292 failed to pass by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Bashor, Bradford, Cerovski, Daniels, Devier, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jensen, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Shelden, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 42.

Noes: Anderson, Babcock, Battin, Bentz, Casey, Cavan, Clowes, Cor-

coran, Curry, DeWolfe, Elting, Felt, Fladager, Gerard, Glead, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Jardine, Kiff, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Sheehy, Sheldon, Walton, Wright. Total 42.

Paired: Angstman, no; Barnes, aye; Shea, no; Karlberg, aye; Kolar, no; Barrett, aye.

Absent and not voting: Fjare, Langston, Woodring. Total 3.

Excused: Broeder. Total 1.

Sub. House Bill No. 260 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 86.

Noes: None.

Absent and not voting: Barnard, Fjare, McGaffick, Langston. Total 4.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 494 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Regan, Reinecke, Rindy, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 81.

Noes: Elting, Loman, Nichols, Powell, Reeder, Sales. Total 6.

Absent and not voting: Barnard, Fjare, Langston. Total 3.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 335 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Sheehy,

Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 81.

Noes: Battin, Holecek, Schwinden. Total 3.

Absent and not voting: Clowes, Elting, Fjare, Nees, Raundal, Walton. Total 6.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

Sub. House Bill No. 455 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Kiff, Langston, Lees, Leuthold, Loughran, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Parker, Picard, Powell, Powers, Raundal, Regan, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Mr. Speaker. Total 66.

Noes: Anderson, Babcock, Battin, Bentz, Cavan, Elting, Felt, Fladager, Gerard, Gleed, Higham, Howard, Kvaalen, Loman, McGarvey, Page (Missoula), Paulsen, Reeder, Reinecke, Sales, Wold, Wright. Total 22.

Absent and not voting: Fjare, McGaffick. Total 2.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

Sub. House Bill No. 333 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 81.

Noes: Bashor, Leuthold, Moudree, Paulsen, Powell, Wright. Total 6.

Absent and not voting: DeWolfe, Fjare, Nees. Total 3.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

Sub. House Bill No. 80 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 84.

Noes: Harball, Moudree. Total 2.

Absent and not voting: Daniels, Fjare, Holecek, McGaffick. Total 4.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Sub. House Bill No. 305 do pass.

That House Bill No. 83 do not pass.

That House Bill No. 391 do not pass.

That House Bill No. 130 do pass.

That House Bill No. 400 be amended in section 1, subsection 21, page 5 of the printed bill, by striking out lines 124, 125, 126, 127, 128, 129 and 130 and inserting in lieu thereof the words: "This provision applies only to parcels of more than twenty-five (25) acres"; and as amended, do pass.

That House Bill No. 406 be amended in the title by striking out in line 3 of page 1 of the printed bill the word "request" and inserting in lieu thereof the word "application" and be further amended in line 4 of page 1 in the title of the printed bill by striking the words "twenty (20) or more prospective" and be further amended in line 7 and line 8 of page 1 in the title of the printed bill by striking the words "that subsequent consumers must contribute to any payment made to said utility" and inserting in lieu thereof the words: "For hearing before the public service commission; requiring that gross three (3) year revenue will equal the investment of the utility";

Be further amended in section 1, line 20 of the printed bill, by inserting a period at the end of the word "sufficient," and capitalizing the following word "The";

And as amended, do pass.

That House Bill No. 411 do pass.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 89, 138, 200, 330, Sub. 126, Sub. 294, H. B. 145, 290 and 211, 502 considered correctly engrossed.

PARKER, Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 89 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard,

Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 82.

Noes: None.

Absent and not voting: Babcock, Barrett, Eskildsen, Glead, Loughran, Nees, Nichols, Regan. Total 8.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 138 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanoue, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Sales, Schwinden, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 77.

Noes: Holecek, Kvaalen, Morrison, Nelstead, Rindy, Sheehy. Total 6.

Absent and not voting: Babcock, Barrett, DeWolfe, Eskildsen, Glead, Loughran, McGaffick. Total 7.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 200 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanoue, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 88.

Noes: None.

Absent and not voting: Nees, Sales. Total 2.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

Sub. House Bill No. 126 was passed by the following vote:

Ayes: Aasheim, Abel, Barrett, Barnard, Barnes, Bradford, Casey, Cavan, Cerovski, Corcoran, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Howard, Jensen, Karlberg, Kiff, Langston, Lees, Leuthold, Loman, McNally, McOmber, Mernin, Nees, Page (Granite), Parker, Paulsen, Picard, Powers, Reeder, Rindy, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 55.

Noes: Anderson, Babcock, Bardanouve, Bashor, Battin, Bentz, Curry, Daniels, Elting, Felt, Fjare, Gerard, Haines (Missoula), Holecek, Holtz, Jardine, Kvaalen, Loughran, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Powell, Raundal, Regan, Reinecke, Sales, Schwinden, Walton, Wold. Total 31.

Absent and not voting: Clowes, Fladager, McGaffick, McGarvey. Total 4.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

Sub. House Bill No. 294, being a bill calling for a constitutional amendment, was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Battin, Bentz, Bradford, Casey, Cavan, Clowes, Curry, DeWolfe, Elting, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Hawks, Healy, Holding, Hingham, Holtz, Howard, Jensen, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, Mernin, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 67.

Noes: Bashor, Cerovski, Corcoran, Daniels, Devier, Emmons, Glancy, Harball, Holecek, Jardine, Karlberg, McGaffick, McNally, McOmber, Moudree, Powell, Strnisha, Tonner. Total 18.

Absent and not voting: Barnard, Nees, Parker, Picard, Raundal. Total 5.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

Substitute House Bill No. 294, introduced by Committee on Constitutional Amendments and Federal Relations: A bill for an act entitled: "An act to provide for the submission to the qualified voters of the State of Montana of an amendment to section 5 of article XI of the Constitution of the State of Montana to provide for a state land equalization figure to consist of twenty per cent (20%) of receipts from grazing and agricultural rentals of state-owned lands, to provide for payment of these receipts by the state to the counties to be pro-rated by the counties to school districts according to the percentage of state lands within the local school district; containing a repealing clause."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That section 5 of article XI of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana at the general election to be held in November, 1960.

Section 2. That section 5 of article XI of the Constitution of the State of Montana, be, and the same is hereby amended to read as follows:

"Section 5. Twenty per centum (20%) of all grazing rentals and agricultural income shall be distributed as provided by law. Ninety-five per centum (95%) of all the interest received on the school funds of the state, and seventy-five per centum (75%) of all rents received from the leasing of school lands and ninety-five per centum (95%) of all other income from the public school funds shall be apportioned annually to the several school districts of the state in proportion to the number of children and youths between the ages of six (6) and twenty-one (21) residing therein respectively, but no district shall be entitled to such distributive share that does not maintain a public free school for at least six months during the year for which such distribution is made. The remaining five per centum

(5%) of all the interest received on the school funds of the state, and the remaining five per centum (5%) of all the rents received from the leasing of school lands and of all other income from the public school funds, shall annually be added to the public school funds of the state and become and forever remain an inseparable and inviolable part thereof."

Section 3. This amendment shall be submitted to the qualified electors at the general election to be held in November, 1960, in the manner provided by law, and there shall be printed on such ballot the title of this act, and immediately below the title of this act upon said ballot the following:

☐ For the above amendment.

☐ Against the above amendment."

The elector shall designate his preference for either of these propositions by making an "X" in the square before the proposition for which he desires to vote.

Section 4. The votes cast for and against the amendment herein proposed shall be counted, canvassed, and determined by such officials and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment, the governor of the state shall so declare by public proclamation, and said amendment shall be in full force and effect as a part of the constitution from and after the date of such proclamation.

Section 5. All acts and parts of acts in conflict herewith are hereby repealed.

House Bill No. 145 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinicke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 85.

Noes: Barnes, DeWolfe, Holecek, Kvaalen. Total 4.

Absent and not voting: Raundal. Total 1.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 290 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinicke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: McGaffick, Kvaalen, Powell. Total 3.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 211 was passed by the following vote:

Ayes: Abel, Bardanouve, Barrett, Barnard, Bradford, Clowes, Curry, Devier, Emmons, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Howard, Jensen, Karlberg, Kvaalen, Langston, Lees, Loman, Loughran, McGaffick, McGarvey, McNally, Mernin, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powers, Regan, Reinecke, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Woodring, Wold, Wright, Mr. Speaker. Total 53.

Noes: Aasheim, Anderson, Babcock, Barnes, Bashor, Battin, Bentz, Casey, Cavan, Cerovski, Corcoran, DeWolfe, Elting, Eskildsen, Felt, Fjare, Gleed, Haines (Prairie), Holtz, Jardine, Kiff, Leuthold, McOmber, Morrison, Moudree, Nelstead, Parker, Powell, Raundal, Reeder, Rindy, Sales, Schwinden, Walton, Wood. Total 35.

Absent and not voting: Daniels, Nees. Total 2.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 502 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barnard, Battin, Bentz, Bradford, Casey, Cavan, Clowes, Corcoran, Emmons, Felt, Fjare, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, Mernin, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Powers, Raundal, Regan, Reinecke, Sales, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 62.

Noes: Abel, Barrett, Barnes, Cerovski, Curry, Daniels, Devier, DeWolfe, Elting, Fladager, Holecek, Jardine, Kiff, McNally, Nees, Powell, Rindy, Schwinden, Sheehy. Total 19.

Absent and not voting: Bashor, Eskildsen, Gill, Loughran, McOmber, Moudree, Parker, Picard, Reeder. Total 9.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 330 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 84.

Noes: Holecek. Total 1.

Absent and not voting: DeWolfe, Loughran, McGarvey, Moudree, Powell. Total 5.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole, for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Barrett of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That further consideration of House Bill No. 418 be indefinitely postponed.

That House Bill No. 441 do pass.

That the enacting clause be stricken from House Bill No. 463.

That further consideration of House Bill No. 464 be indefinitely postponed.

That House Bill No. 465 do pass.

That further consideration of House Bill No. 478 be indefinitely postponed.

That House Bill No. 484 do pass.

BARRETT, Chairman.

Motion was made by Barrett for adoption of the Committee of the Whole report.

Substitute motion was made by Gerard that House Bill No. 478 be segregated from the Committee report. A roll call vote was requested, with the results thereof spread on the Journal. There being a sufficient number of seconds, there was a roll call vote and the substitute motion failed to carry by the following vote:

Ayes: Anderson, Babcock, Battin, Bentz, Cavan, Corcoran, Curry, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kvaalen, Leuthold, Loughran, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Schwinden, Walton, Wayrynen, Wright. Total 37.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Clowes, Daniels, Devier, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Loman, McGarvey, McNally, McOmber, Mernin, Moudree, Parker, Powers, Raundal, Reeder, Rindy, Sheehy, Shelden, Strnisha, Tonner, Wood, Woodring, Wold, Mr. Speaker. Total 45.

Absent and not voting: Bashor, DeWolfe, Emmons, Hanks, Lees, McGaffick, Picard, Sheldon. Total 8.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

Substitute motion was made by McGarvey that House Bill No. 441 be segregated from the Committee report. Gerard asked for a roll call vote, to be spread on the Journal. There being a sufficient number of seconds, a

roll call vote was taken. Prior to vote being announced, Rep. Tonner requested his vote be changed from no to aye. There being no objection, Tonner was allowed to change his vote from no to aye. The substitute motion failed to carry as follows:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Devier, Eskildsen, Gilfeather, Gill, Gunderson, Hanks, Harball, Healy, Holding, Holtz, Jensen, Karlberg, Langston, McGarvey, McNally, McOmber, Moudree, Nees, Parker, Powers, Reeder, Rindy, Schwinden, Shelden, Strnisha, Tonner, Wood, Woodring, Mr. Speaker. Total 38.

Noes: Anderson, Babcock, Battin, Bentz, Cavan, Clowes, Corcoran, Curry, DeWolfe, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Holecek, Howard, Jardine, Kiff, Lees, Leuthold, Loman, Loughran, McGaffick, Morrison, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Sheehy, Walton, Wayrynen, Wold, Wright. Total 41.

Absent and not voting: Bashor, Daniels, Elting, Emmons, Glancy, Kvaalen, Mernin, Page (Granite), Picard, Raundal, Sheldon. Total 11.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. B. Nos. 130, 305, 349, 406, and 400 and 411 considered correctly engrossed.

PARKER, Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. B. Nos. 441, 465 and 484.

PARKER, Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 130 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Barnard, Battin, Bentz, Cavan, Clowes, Corcoran, DeWolfe, Elting, Eskildsen, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Powell, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shelden, Walton, Wayrynen, Wood, Woodring, Wold, Wright. Total 54.

Noes: Aasheim, Bardanouve, Barrett, Barnes, Bradford, Casey, Cerovski, Curry, Daniels, Devier, Gilfeather, Gunderson, Harball, Healy, Holding, Holecek, Holtz, Jardine, McGarvey, McNally, Mernin, Moudree, Picard, Regan, Sheehy, Sheldon, Tonner, Mr. Speaker. Total 28.

Absent and not voting: Bashor, Gill, Glancy, Hanks, Parker, Powers, Strnisha, Emmons. Total 8.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 305 was passed by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Cavan, Clowes, Corcoran, Curry, DeWolfe, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gleed, Gunderson, Haines

(Prairie), Haines (Missoula), Hanks, Hawks, Healy, Higham, Holecek, Howard, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, Mernin, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Woodring, Wold, Wright. Total 66.

Noes: Aasheim, Casey, Cerovski, Devier, Elting, Gill, Harball, Holding, Jardine, McNally, McOmber, Morrison, Moudree, Schwinden, Sheehy, Tonner, Wood, Mr. Speaker. Total 18.

Absent and not voting: Barrett, Daniels, Emmons, Glancy, Holtz, McGaffick. Total 6.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 349 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Hawks, Healy, Holding, Higham, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Mernin, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright. Total 71.

Noes: Abel, Bradford, Harball, Holecek, Holtz, Loughran, Moudree, Parker, Powers, Reeder, Regan, Sheehy, Tonner, Mr. Speaker. Total 14.

Absent and not voting: Emmons, Glancy, McGaffick, Nees, Raundal. Total 5.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 406 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Daniels, Devier, Elting, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Lees, Leuthold, McGaffick, McGarvey, McNally, McOmber, Mernin, Nees, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Reinecke, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 69.

Noes: Bashor, Curry, Fladager, Haines (Prairie), Higham, Howard, Kiff, Kvaalen, Loman, Loughran, Morrison, Moudree, Nelstead, Powell, Sales. Total 15.

Absent and not voting: DeWolfe, Emmons, Gill, Glancy, Regan, Wayrynen. Total 6.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 400 failed to pass by the following vote:

Ayes: Abel, Anderson, Babcock, Barnes, Battin, Bentz, Cavan, Corcoran, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Harball, Hawks, Higham, Howard, Jardine, Kiff, Kvaalen, Lees, Leuthold, Loman, Loughran, Morrison, Nelstead, Nichols, Page (Missoula),

Paulsen, Powell, Raundal, Regan, Reinecke, Sales, Schwinden, Tonner, Walton, Wright. Total 41.

Noes: Aasheim, Bardanouve, Barrett, Barnard, Bashor, Bradford, Casey, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Eskildsen, Gilfeather, Gill, Gunderson, Hanks, Healy, Holding, Holecek, Holtz, Jensen, Karlberg, Langston, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Page (Granite), Parker, Picard, Powers, Reeder, Rindy, Sheehy, Shelden, Sheldon, Strnisha, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 46.

Absent and not voting: Emmons, Glancy, McGaffick. Total 3.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 411 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cerovski, Clowes, Daniels, Devier, DeWolfe, Eskildsen, Gilfeather, Gill, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Lees, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 52.

Noes: Anderson, Babcock, Battin, Bentz, Cavan, Corcoran, Curry, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kvaalen, Leuthold, Loman, Loughran, Morrison, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Walton, Woodring, Wright. Total 35.

Absent and not voting: Emmons, Glancy, McGaffick. Total 3.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 441 was passed by the following vote:

Ayes: Anderson, Babcock, Battin, Bentz, Casey, Cavan, Cerovski, Corcoran, Curry, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Jardine, Kiff, Kvaalen, Lees, Leuthold, Loman, Loughran, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Regan, Reinecke, Sales, Sheehy, Walton, Wood, Wright. Total 43.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Clowes, Daniels, Devier, Eskildsen, Gilfeather, Gill, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jensen, Karlberg, Langston, McGarvey, McNally, McOmber, Moudree, Nees, Parker, Powers, Reeder, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Woodring, Mr. Speaker. Total 40.

Absent and not voting: Emmons, Glancy, McGaffick, Mernin, Wayrynen, Wold, Raundal. Total 7.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 484 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cerovski, Clowes, Curry, Daniels, DeWolfe, Elting, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Nees, Nelstead, Nichols,

Page (Granite), Parker, Powell, Powers, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 75.

Noes: Moudree, Sheldon. Total 2.

Absent and not voting: Cavan, Corcoran, Devier, Emmons, Fladager, Glancy, McGaffick, Mernin, Page (Missoula), Paulsen, Picard, Raundal, Reeder. Total 13.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

House Bill No. 465 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Devier, DeWolfe, Elting, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 77.

Noes: Curry, Holecek, Kiff, Moudree, Nees, Regan. Total 6.

Absent and not voting: Daniels, Emmons, Glancy, Loughran, McGaffick, Mernin, Raundal. Total 7.

Excused: Angstman, Broeder, Kolar, Shea. Total 4.

Motion was made by Cerovski that the House adjourn until 1:00 p.m., Thursday, February 19, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FORTY-SIXTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 19, 1959

House convened at 1:00 p. m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Anderson, Broeder, Curry, Gleed, Haines (Missoula), Hawks, Page (Granite), Reeder, Shea, Woodring, who were excused, and Loman and Sheldon, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-fifth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

COMMUNICATIONS AND PETITIONS

February 17, 1959

Allen Donohue, Chief Clerk
Montana House of Representatives
Capitol
Helena, Montana

Dear Mr. Donohue:

Please be informed that I have sent, as instructed in House Joint Memorial No. 3, certified copies of such Memorial.

Sincerely yours,
FRANK MURRAY,
Secretary of State.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Social Security, having had under consideration Senate Bill No. 47, respectfully report as follows: That Senate Bill No. 47 be concurred in.

PARKER, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 18, 1959

Hon. John J. MacDonald
Speaker of the House of Representatives
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. J. M. No. 10—Introduced by Abel, Strnisha, MacDonald, Holecek, Karlberg, Barrett, Mernin, Holtz and McOmber.

H. B. No. 159—Introduced by McNally, Powers and Glancy.

Very truly yours,
J. HUGO ARONSON,
Governor.

February 19, 1959

Hon. John J. MacDonald
Speaker of the House of Representatives
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

H. J. M. No. 1—Introduced by Wood, Loughran, Sheehy, Cerovski, Bentz, Gunderson and Lees.

Very truly yours,
J. HUGO ARONSON,
Governor.

February 19, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee of the Whole report on this day, reported adopted, and the same is herewith returned to the House:

House Bill No. 97 by Lees, et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 18, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 7 by Durkee, et al.

Senate Bill No. 61 by Rieder.

Senate Bill No. 134 by Durkee.

Senate Bill No. 181 by Minette.

Senate Bill No. 185 by Ruane (by request).

Senate Bill No. 145 by Mahoney (Sanders) and Durkee.

Senate Bill No. 193 by Anderson (Lincoln).

Senate Bill No. 101 by Harken and Dussault.

Senate Substitute for Senate Bill No. 74 by Committee on Judiciary.

Senate Bill No. 68 by Groff (by request).

Senate Bill No. 184 by Ruane (by request).

Senate Bill No. 189 by Ruane and Reardon.

Senate Bill No. 98 by Smith and Harken.

Senate Bill No. 51 by Cotton and Thiessen.

Senate Bill No. 186 by Ruane (by request).

Senate Bill No. 49 by Cotton and Thiessen.

Senate Bill No. 50 by Cotton and Thiessen.

Senate Bill No. 155 by Mahoney (Garfield), et al.

Senate Bill No. 146 by Mahoney (Sanders).

Senate Bill No. 192 by Cotton.

Senate Bill No. 191 by James and Hibbs.

Senate Bill No. 118 by Carney.

Senate Bill No. 190 by Carney, et al.

Senate Bill No. 113 by Thiessen, et al.

Senate Bill No. 114 by Carney, et al.

Senate Bill No. 112 by Hibbs and McDonnell.

Senate Bill No. 108 by Clark, et al.

Senate Substitute for Senate Bill No. 175 by Committee on Public Health and Safety.

Senate Bill No. 2 by Smith.

Senate Substitute for Senate Bill No. 14 by Committee on Irrigation and Water Conservation.

Senate Joint Resolution No. 4 by Durkee, et al.

Senate Joint Resolution No. 5 by McGowan.

Senate Joint Resolution No. 3 by Thiessen, et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times, appropriation measures at length, and referred to committees:

Senate Bill No. 7, introduced by Durkee, Cumming, Hagenston, Clark, Mackay, Streeter, James: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana an amendment to section 11, article XI of the constitution of the State of Montana relating to the general control and supervision of the state university and the various other state educational institutions, to provide for the establishment of a state board of education consisting of eight members to be appointed by the governor, subject to confirmation by the senate, under the regulations and restrictions to be provided by law, to provide that the general control and supervision of the public, free, common schools shall be vested in the state board of education; to provide that the general control and supervision of the University of Montana shall be vested in a board of regents, whose powers and duties shall be prescribed by law, to provide that the board of regents shall consist of eight members, appointed by the governor, subject to confirmation by the senate, under the regulations to be provided by law; to provide for an effective date." Referred to Committee on Education.

Senate Bill No. 61, introduced by Rieder: A bill for an act entitled: "An act to amend section 93-9906, of the Revised Codes of Montana, 1947, relating to lands required for public use; providing that public use must be compatible with the greatest public good and the least private injury; providing that consideration must be given to irrigated lands or lands susceptible of irrigation; providing that when interstate highways are to be located where a controversy arises concerning the location of the same, upon written petition by a landowner or landowners the county commissioners of the county involved shall appoint a citizen's committee of six members three of whom shall be rural resident freeholders and three of whom shall be urban resident freeholders who shall sit with the state highway commission as a board of arbitrators at a specified time, to determine, hear and decide such controversy; providing the giving of agents of the state the right to enter upon such lands; after conference with landowner or landowners; providing that notice of hearing shall be given by county commissioners in a newspaper once each week for two consecutive weeks and providing for the filing of the results of the hearing with the clerk of district court of the county concerned; and providing for an effective date of this act." Referred to Committee on Irrigation and Water Conservation.

Senate Bill No. 134, introduced by Durkee: A bill for an act entitled: "An act to amend section 26-104, Revised Codes of Montana, 1947, as amended by chapter 40, Session Laws of 1951, and chapter 157, Session Laws of 1955, and chapter 151, Session Laws of 1957, relating to the powers and duties of the state fish and game commission and adding sub-section (26) thereto, providing for the authority to promulgate and enforce rules and regulations governing recreational uses of public fishing reservoirs and lakes constructed by the commission or on reservoirs and lakes in operation under agreement with a federal or state agency or private owners; and containing a repealing clause." Referred to Committee on Fish and Game.

Senate Bill No. 181, introduced by Minette: A bill for an act entitled: "An act to amend section 71-1207, Revised Codes of Montana, 1947, replacement volume 4, relating to the investigation of applications from permanently and totally disabled persons by the county welfare department; providing that old age recipients who are enrolled members of the recognized Indian tribes may receive not to exceed one hundred dollars (\$100.00) in any one calendar year as per capita payment from tribal lands or tribal profits, without affecting the amount of their assistance; providing for a repealing clause; and providing for an effective date of this act." Referred to Committee on Judiciary.

Senate Bill No. 185, introduced by Ruane (by request): A bill for an act entitled: "An act to amend section 4-333, Revised Codes of Montana, 1947, as amended by section 1, chapter 165, Session Laws, 1949; as amended by section 1, chapter 55, Session Laws, 1955; relating to powers of the Montana liquor control board in the issuing of retail beer licenses, the number of such licenses that may be issued; providing for the repeal of subsection (3) of section 4-333, Revised Codes of Montana, 1947, as amended; providing for a repealing clause; and providing for an effective date." Referred to Committee on Liquor Control.

Senate Bill No. 145, introduced by Mahoney (Sanders), Durkee: A bill for an act entitled: "An act to amend Section 75-4609 of the Revised Codes of Montana, 1947, as amended by section 1, chapter 120, Laws of 1953, relating to voting special levies on high school districts; providing that said special levies may be voted for the purpose of building, altering, repairing or enlarging any high school or high schools of said district or for proper maintenance and operation of the high schools of said district or for acquisition of land for high school purposes; repealing all acts and parts of acts in conflict herewith; providing for an effective date." Referred to Committee on Education.

Senate Bill No. 193, introduced by Anderson (Lincoln): A bill for an act entitled: "An act to amend section 66-503, Revised Codes of Montana, 1947, relating to the powers and duties of the state board of chiropractic examiners of the State of Montana and providing that the state board shall have the power to approve and disapprove of the various schools of chiropractic for the qualifications of license applicants in the State of Montana; providing that the board, in its inspection and in its determination, of the qualifications of the various schools may utilize the qualified fact finding and accrediting agencies; and containing a repealing clause." Referred to Committee on State Boards and Institutions.

Senate Bill No. 101, introduced by Harken, Dussault: A bill for an act entitled: "An act to amend section 69-1328, Revised Codes of Montana, 1947, enacted as chapter 142, Laws of 1955, relating to definitions; providing that new industry or sewerage system discharging industrial or other wastes into waters excepted from the act be required to maintain the classification established by the council at the point of discharge and downstream from the discharge of such wastes; containing a repealing clause; providing an effective date of this act." Referred to Committee on Public Health, Morals and Safety.

Senate Bill No. 68, introduced by Groff (by request): A bill for an act entitled: "An act to reduce and manage fire hazards created by cutting timber; providing for the reduction of slash and forest debris along right-of-way; and providing for a penalty for noncompliance of this act." Referred to Committee on State Lands, Forests and Parks.

Senate Substitute for Senate Bill No. 74, introduced by Judiciary Committee: A bill for an act entitled: "A bill for an act to amend section 61-205, Revised Codes of Montana, 1947, replacement volume four (4), as amended by section 5, chapter 240, Session Laws, 1957; relating to the persons required to consent to the adoption of a child, providing that if it is proven to the satisfaction of the court that the father or mother, if able, has not contributed to the support of a child during a period of one (1) year before filing a petition of adoption, filing written consent to the adoption will not be necessary; providing for the issuance of a citation to the parents of a child in the name of the State of Montana and the procedure thereof; providing for the repeal of sections 61-127 to 61-137, both inclusive of the Revised Codes of Montana, 1947, replacement volume four (4); providing for the repeal of section 61-140, of the Revised Codes of Montana, 1947, replacement volume four (4); providing for a repealing clause; and providing for an effective date." Referred to Committee on Judiciary.

Senate Bill No. 184, introduced by Ruane (by request): A bill for an act entitled: "An act to amend section 4-403, Revised Codes of Montana, 1947, as amended by section 1, chapter 164, Session Laws 1949; as amended by section 1, chapter 144, Session Laws 1951; as amended by section 1, chapter 56, Session Laws 1955; relating to the powers of the Montana liquor control board in the issuing of retail liquor licenses; providing that subsection (2) of section 4-403, Revised Codes of Montana as amended, will be repealed; providing for a repealing clause; and providing for an effective date." Referred to Committee on Liquor Control.

Senate Bill No. 189, introduced by Reardon: A bill for an act entitled: "An act amending section 92-1005 of the Revised Codes of Montana of 1947 as amended by chapter 176 of the Laws of Montana of 1957 relating to the assessment of insurers insuring employers who elect to become bound by compensation plan two of the workmen's compensation act, and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Workmen's Compensation.

Senate Bill No. 98, introduced by Smith, Harken: A bill for an act entitled: "An act to amend section 68-901 of the Revised Codes of Montana, 1947, as amended by section 6 of chapter 186 of the laws of the thirty-second legislative assembly of the State of Montana, 1951, relating to service and disability retirement allowances, and particularly, paragraph (g) thereof relating to the minimum guarantee by providing a minimum guarantee for all members eligible for retirement at the age of seventy (70) years, and paragraph (h) thereof relating to disability retirement by providing for the retirement of members of the public employees' retirement system with ten (10) or more years of creditable service who have become permanently, mentally or physically incapacitated for the further performance of duty, requiring the board of administration of the public employees' retirement system to make payments of a disability retirement allowance retroactive to the date of the commencement of the disability or termination of state service if later where the disabled member has been prevented from making application for such allowance by reason of his disability, providing the amount payable in the event of retirement by reason of disability, and providing that a member whose disability is due to any injury or disease arising out of and in the course of his employment shall be entitled to a disability retirement allowance regardless of the number of years of creditable service; repealing paragraphs (i), (j), (k), and (l) of section 68-901 of the Revised Codes of Montana, 1947, as amended by section 6 of chapter 186 of the laws of the thirty-second legislative assembly of the

State of Montana, 1951, and all acts or parts of acts in conflict herewith; providing that invalidity of a part of this act shall not affect or impair the remainder; and making this act effective upon its passage and approval." Referred to Committee on Social Security.

Senate Bill No. 51, introduced by Cotton, Thiessen: A bill for an act entitled: "An act to amend section 84-4711, Revised Codes of Montana, 1947, relating to the qualifications of electors entitled to vote upon proposals to create or increase indebtedness of a city, town, school district, or other municipal corporation and providing for an effective date." Referred to Committee on Privileges and Elections.

Senate Bill No. 186, introduced by Ruane (by request): A bill for an act entitled: "An act declaring that the acceptance or solicitation of money or other considerations in connection with any contract for the advertising of real property by misrepresentation or by failing to disclose facts pertinent to such contract is a felony and prescribing a penalty; containing a repealing clause." Referred to Committee on Judiciary.

Senate Bill No. 49, introduced by Cotton, Thiessen: A bill for an act entitled: "An act to amend section 75-3912, Revised Codes of Montana, 1947, relating to the qualifications of electors entitled to vote in school district bond elections and providing for the closing of the registration books and the posting of notice of election and providing for an effective date." Referred to Committee on Privileges and Elections.

Senate Bill No. 50, introduced by Cotton, Thiessen: A bill for an act entitled: "An act to amend section 75-3938, Revised Codes of Montana, 1947, providing for the qualifications of voters in an election for the issuance of bonds of any school district, town or city, and providing for an effective date." Referred to Committee on Privileges and Elections.

Senate Bill No. 155, introduced by Mahoney (Garfield), Carney, Harken: A bill for an act entitled: "An act to amend section 38-214 of the Revised Codes of Montana, 1947, relating to the hearing and examination of persons submitted to the Montana State Hospital and fixing the procedure for determining who shall pay the cost and care of maintenance and fixing the amount the hospital may receive for care and maintenance; providing for the recovery from persons who have been received as an indigent person; repealing all acts and parts of acts herewith; providing for an effective date of this act." Referred to Committee on State Boards and Institutions.

Senate Bill No. 146, introduced by Mahoney (Sanders): A bill for an act entitled: "An act to amend sections 75-1716 of the Revised Codes of Montana, 1947, replacement volume four (4), relating to the emergency budgets of school districts; providing that the board of trustees of the school district shall determine when an emergency exists by reason of increased enrollment, or by destruction of school property by certain specified causes; providing that the school trustees shall hold a meeting to determine when an emergency exists; providing for a unanimous vote of all members of the board to declare an emergency and the entry thereof by resolution in their minutes; providing for publication of such resolution once in a newspaper in the district involved most likely to give notice thereof to the people of the school district or if there is no newspaper in the district then the same shall be published in the official county newspaper; providing for the making and adopting of a preliminary emergency budget when the members of the board of trustees find that an emergency exists; providing for the furnishing of copies of the emergency budget to the county superintendent of schools and to the board of county commissioners of the county concerned; providing for the changing of an approving of such emergency budget by the board of county commissioners of the county concerned; providing for a repealing clause." Referred to Committee on Education.

Senate Bill No. 192, introduced by Cotton: A bill for an act entitled: "An act to amend section 71-409 of the Revised Codes of Montana, 1947, relating to payments of old age assistance to a guardian; to provide for an investigation of the manner in which assistance payments are being utilized by the recipient, and providing for the appointment by the district court of a competent person as guardian of the assistance grant in behalf of the recipient; to amend section 71-614 of the Revised Codes of Montana, 1947, relating to payment of aid to needy blind to a guardian; to provide for an investigation of the manner in which assistance payments are being utilized by the recipient, and providing for the appointment by the district court of a competent person as guardian of the assistance grant in behalf of the recipient; and, to amend section 71-1209 of the Revised Codes of Montana, 1947, relating to payment of aid to the permanently and totally disabled to a guardian; to provide for an investigation of the manner in which assistance payments are being utilized by the recipient, and providing for the appointment by the district court of a competent person as guardian of the assistance grant in behalf of the recipient; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Judiciary.

Senate Bill No. 191, introduced by James, Hibbs: A bill for an act entitled: "An act to amend section 23-902 of the Revised Codes of Montana, 1947, as amended by section 12 of chapter 214 of the session laws of the 33rd Legislative Assembly 1953, and as amended by section 1 of chapter 266 of the session laws of the 34th Legislative Assembly 1955; to amend section 23-909 of the Revised Codes of Montana, 1947, as amended by section 2 of chapter 266 of the session laws of the 34th Legislative Assembly 1955; to amend section 23-1006 of the Revised Codes of Montana, 1947, as amended by chapter 55 and by section 14 of chapter 214 of the session laws of the 33rd Legislative Assembly 1953, and as amended by section 5 of chapter 266 of the session laws of the 34th Legislative Assembly 1955, relating to primary elections, the purpose thereof, candidates to be nominated, providing that political party nominations still be made exclusively as herein provided, providing for holding state conventions and membership thereof." Referred to Committee on Privileges and Elections.

Senate Bill No. 118, introduced by Carney: A bill for an act entitled: "An act providing that the commissioner of state lands and investments shall prepare and transmit a statement to the county assessor; authorizing the State Board of Examiners to make payments to counties for the purpose of reimbursing such counties, either in whole or in part, for losses of taxes on real property resulting from ownership in the State of Montana; providing for the procedural requirements and methods to be followed for payment; and limiting payment thereof to lands in counties wherein the State of Montana owns lands in excess of six per cent (6%) of the total land area in the counties; providing that such sums paid shall not exceed twelve cents (12¢) per grazing acre and thirty-five cents (35¢) per agricultural acre; and providing for an effective date." Referred to Committee on State Lands, Forests and Parks.

Senate Bill No. 190, introduced by Carney, Brenner, McGowan: A bill for an act entitled: "An act to amend section 84-1817 of the Revised Codes of Montana, 1947, replacement volume five (5), as amended by section one (1), chapter one hundred thirteen (113) of the session laws of 1957, relating to the method for the determination, allotment and apportionment of the state highway fund for construction purposes; providing for the allotment of state construction funds for the federal aid interstate highway system; providing for apportionment of state funds to finance districts; providing that the definition of the value of rural lands shall include the value of state owned lands from which the state derives grazing, timber and agriculture income; providing that the basis for the value of rural lands shall be from figures in the latest biennial report of the Montana State Board of Equalization and the basis for the figure of state owned lands shall be from figures submitted by the commissioner of state lands and investments on the total grazing, timber and agricultural lands of each county; provid-

ing for a repealing clause." Referred to Committee on Highways and Highway Transportation.

Senate Bill No. 113, introduced by Thiessen, Mahoney (Garfield), Carney, Cotton: A bill for an act entitled: "An act to amend section 24-138 of the Revised Codes of Montana, 1947, as amended by chapter 55, Laws of Montana, 1951, relating to the duties of owners of poles and wires upon notice being given by any person, firm or corporation of intention to move any house, building, derrick or other structure, and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Public Health, Morals and Safety.

Senate Bill No. 114, introduced by Carney, Brownfield, Anderson (Wibaux), Grant: A bill for an act entitled: "An act authorizing teacher preparation scholarships; providing that the state superintendent of public instruction shall be the director; providing for a county board to choose the candidates; providing for a maximum scholarship over a two-year period of fifteen hundred dollars (\$1,500.00); providing that recipients of scholarships shall endorse notes to the state treasurer for the amount of the scholarship, providing that the note shall bear interest at the rate of three per cent (3%) per annum and shall be payable twenty-eight (28) months after date of issue; providing for the repayment of the scholarship to the State of Montana by the recipient if he or she does not teach in a one-room rural school for a period of time equal to the time the scholarship was paid; providing for the cancellation of said notes and interest thereon when the recipient has satisfactorily completed two full school years of teaching in a one-room rural school, or the death or total disability of the recipient; and providing for the expiration of the application period on September 1, 1960; and providing for an effective date of this act." Referred to Committee on Education.

Senate Bill No. 112, introduced by Hibbs, McDonnell: A bill for an act entitled: "An act providing for compensation of workmen for disability or death resulting from occupational diseases; providing that this act shall be known as 'the occupational disease act of Montana'; providing that this act shall be administered by the Industrial Accident Board; providing for definitions; defining occupational diseases; determining proximate causation; providing for the coverage of certain employers and employees; establishing those subject to this act; providing for the liability of last employer and exceptions; providing that right to recover compensation pursuant to provisions of this act shall be the exclusive remedy therefor against the employer bound by this act; providing for employees right to reject this act; providing for payment of compensation, exceptions and limitations; providing for time and manner for filing claims; providing for notice of disability or death; providing for medical plan, medical committee and pulmonary specialists; establishing procedure for medical examination of claimant; providing for autopsy; providing that compensation payments for disability or death caused by an occupational disease shall be the same as compensation payments for temporary total and permanent total disability and for injuries causing death under the Montana workmen's compensation act; providing for burial expense; providing for medical and hospital expense; defining aggravation and pro-rating benefits thereunder; providing for compensation for disability or death from silicosis complicated by pulmonary diseases; providing for periodic medical examinations; providing for compensation plans and for the creation of the occupational disease compensation fund; establishing when common law defenses are not available; providing for the payment of benefits in the event employee is discharged under certain conditions; establishing penalty for false representation by employee; prohibiting lump sum settlements and providing for payment of attorney fees; providing for limitation of employer liability in certain cases, and prohibiting waivers; providing a date when compensation payments under this act begin; providing penalties for violation of this act; providing for time and manner of payments; providing for payment to guardian of child under

eighteen years of age; providing for procedure to be followed by the board; providing for right of appeal to courts; providing certain administrative powers of board; providing for records and copies of evidence; providing that books, records and payroll of employers shall be open to inspection by board; providing for jurisdiction of board to hear disputes and controversies; providing for hearings, findings, and awards by the board; prohibiting persons receiving compensation or benefits under part nine of the public welfare act of the State of Montana from receiving benefits under this act; providing for the diminution of payments under this act where claimant, his beneficiaries, or his dependents are receiving benefits under the workmen's compensation act of Montana or any other state; providing that wilful misconduct, wilful self-exposure, or wilful disobedience of orders of the board shall bar right to benefits under this act; prohibiting assignment of compensation benefits or attachment of benefit payments; providing for payment of medical examination and autopsy expenses; prohibiting the vesting of rights to compensation awarded under this act and reserving unto the state the right to reduce the rate or amount of compensation to be received by any person; providing for a repealing clause; providing that this act shall be liberally construed; and repealing all acts and parts of acts in conflict herewith; providing an effective date." Referred to Committee on Workmen's Compensation.

Senate Bill No. 108, introduced by Clark, Mahoney (Garfield), Hibbs, Brenner, Reardon, Stein, James, Grant: A bill for an act entitled: "An act to amend section 75-1522 of the Revised Codes of Montana, 1947, as amended by section 1 of chapter 109 of the session laws of the Thirty-second Legislative Assembly of the State of Montana, 1951, and section 1 of chapter 242 of the session laws of the Thirty-fourth Legislative Assembly of the State of Montana, 1955, relating to the abandonment of school districts; deleting therefrom the provisions with respect to transportation and payments in lieu of transportation, and the effect thereof; providing that the period of abandonment for school districts which have provided transportation or in lieu of transportation, payments during the years 1958-1959 shall not commence until July 1, 1959; and repealing all acts or parts of acts in conflict herewith." Referred to Committee on Education.

Senate Bill No. 2, introduced by Smith: A bill for an act entitled: "An act to amend sections 87-106, 87-128, 87-148 and 87-149 of the Revised Codes of Montana, 1947, as amended by chapter 171, Laws of Montana, 1957, and sections 87-120, 87-139 and 87-152 of the Revised Codes of Montana, 1947, and to repeal sections 87-144 of the Revised Codes of Montana, 1947, which sections are a part of the unemployment compensation law; by changing the qualifications for benefits; allowing abatement of certain charges to employer accounts by reason of benefits paid; correcting ambiguous wording; revising the period of time to be reported in the annual report of the commission to the governor covering the administration and operation of the unemployment compensation law; requiring commission cooperation with the secretary of labor in administering acts of congress to pay unemployment compensation benefits to federal employees; veterans and ex-service personnel of the armed forces of the United States; repealing section 87-144 which provides for payment of state unemployment compensation benefits to certain exservicemen of the armed forces of the United States; revising the period of time within which the commission may issue a certificate and lien against any employer for failure to pay contributions due; excluding from the term employment, as defined by the unemployment compensation law, services performed by certain real estate and insurance salesmen; revising the definition of 'total unemployment' and 'state'; entering the name of the proper federal agency in section 87-152; providing a savings clause; repealing all acts and parts of acts in conflict herewith; and providing an effective date." Referred to Committee on Workmen's Compensation.

Senate Substitute for Senate Bill No. 175, introduced by Committee on

Public Health and Safety: A bill for an act entitled: "An act to protect livestock from injury by dogs; providing that it shall be unlawful to keep a dog over the age of five (5) months without an identifying license tag; providing for the issuance of dog license tags and kennel licenses by county treasurers and the fees therefor; providing for the issuance of dog license tags by municipal corporations under the provisions of this act; providing for the impounding of unlicensed dogs running at large by law enforcement officers and a fee therefor; providing that it shall be unlawful to kill, injure or impound any dog whose owner has complied with this act, except as otherwise provided; providing that it shall be unlawful to permit dogs to run at large on any farm or ranch whereon livestock or poultry is kept without consent of the occupant; providing that any livestock or poultry owner or his agent may kill a dog killing or pursuing livestock or poultry on premises not controlled by the owner of the dog, and for the reporting thereof, unless such dog is within the corporate limits of any city or town; providing that county commissioners may provide for the impounding and disposition of dogs running at large contrary to the provisions of this act, and authorizing them to appoint a county pound master to enforce this act or to enter into contracts with others to perform such duties; providing that impounded dogs shall not be disposed of without notice to the owner, if known, or before seventy-two (72) hours have elapsed after impounding nor, in the case of dogs suspected of rabies, before release by the county health officer; providing for the seizing and impounding of dogs found straying on lands whereon livestock or poultry is kept by the owner or occupant of such lands or his employees; providing for the fixing of pound fees and charges by the board of county commissioners and the payment thereof from the county treasury or by the owner of such impounded dog; providing that failure of the owner of a dog to pay pound fees and charges after notice of impounding constitutes abandonment of the dog; providing that fees and fines collected under this act shall be paid into the county treasury and constitute a livestock protection fund for the enforcement of this act; providing that violation of this act shall constitute a misdemeanor and prescribing the penalties therefor; providing that the owner of livestock or poultry killed or injured by a dog or dogs may recover double damages from the owner or owners thereof and that lack of knowledge of the dog's disposition or whereabouts shall constitute no defense to said action; defining the word 'owner' in relation to dogs; providing that if any part of this act is adjudged invalid, inoperative or unconstitutional, such decision shall not affect, impair or invalidate the remaining portions of this act; and providing for the repeal of all acts and parts of acts in conflict herewith." Referred to Committee on Public Health, Morals and Safety.

Senate Substitute for Senate Bill No. 14, introduced by Committee on Irrigation and Water Conservation: A bill for an act entitled: "An act relating to and providing for the appropriation and regulation of ground water; defining terms used in the act; exempting from the act water used for domestic and culinary purposes, watering of livestock, watering of lawns and gardens, and water withdrawn for drainage purposes and withdrawn in association with production of natural resources; and providing other exemptions; providing for the appropriation of ground water; providing for the filing of claims of vested ground water rights with the state water conservation board and country clerk and recorder; providing for the filing of notices of appropriation of ground water after the effective date of the act with the state water conservation board and county clerk and recorder; providing for prior rights; providing for the designating and modifying of boundaries of ground water areas and sub-areas by state water conservation board; authorizing state water conservation board to make surveys, investigations and studies of ground waters; providing for the limiting of withdrawals from ground water areas or sub-areas; providing for the adjudication of ground water rights in ground water areas or sub-areas; providing for appropriations from adjudicated ground water areas or sub-areas; providing for change of location of ground water wells

and other works; providing for abandonment of ground water rights; providing against waste of ground waters and providing for the regulation of wells to prevent waste; providing for a hearing before the district court to confirm the orders of the state water conservation board; providing for appeals; authorizing county attorneys to perform certain services; authorizing state water conservation board to administer oaths and to prescribe reasonable rules and regulations; providing for fees; providing for the creation of ground water administration fund; providing penalties for violations of the act; and repealing sections 89-2901 to 89-2910, inclusive, Revised Codes of Montana, 1947, and all acts and parts of acts in conflict with the provisions of this act; and providing for a saving clause." Referred to Committee on Irrigation and Water Conservation.

Senate Joint Resolution No. 4, introduced by Durkee, Cotton, Hagenston, Siderius, Anderson (Lincoln), Michels, Thiessen, Clark, Reardon, Morrow: A Joint Resolution of the Senate and House of Representatives of the State of Montana to the President of the United States; to the Congress of the United States; to Senators James E. Murray and Mike Mansfield from the State of Montana; to Congressmen Lee Metcalf and LeRoy Anderson from Montana; requesting the reaffirmation of national policy of federal financial support for education. Referred to Committee on Education.

Senate Joint Resolution No. 5, introduced by McGowan: A Joint Resolution of the Senate and of the House of Representatives of the State of Montana requesting that the Governor of the State of Montana instruct and require all executive departments to prepare and have ready for submission any requests for legislative action upon the first day of the legislative session. Referred to Committee on State Boards and Institutions.

Senate Joint Resolution No. 3, introduced by Thiessen, Cotton, James, Rieder, Rice. Thirty-sixth Legislative Assembly, 1959. A Joint Resolution of the Senate, the House of Representatives concurring, of the State of Montana, authorizing and encouraging continued and extended study by the Montana Legislative Council and the State Board of Health of the problems occasioned by the narcotic-like substances, and particularly, further study of the problems of alcoholism and to report their findings and recommendations for the prevention and cure of alcoholism to the Thirty-seventh Legislative Assembly of the State of Montana. Referred to Committee on Public Health, Morals and Safety.

House Bill No. 525, introduced by the Chairman of the Appropriations Committee (by request): A bill for an act entitled: "An act to appropriate by means of the issuance and sale by the State Board of Examiners of bonds in addition to bonds already authorized to be issued and sold for the purpose of completing construction, building and furnishing quarters for the governor; designating the funds from which said bonds should be paid; providing that the monies obtained hereunder shall be placed in the governor's quarters construction interest and sinking fund; enumerating the powers and duties of the State Board of Examiners in carrying out the provisions of this act; providing that the appropriation herein provided for shall be valid notwithstanding the provisions of the budget act; and providing for an effective date." Referred to Committee on Appropriations.

House Bill No. 526, introduced by the Chairman of the Appropriations Committee (by request): A bill for an act entitled: "An act to appropriate the sum of eighty-five thousand dollars (\$85,000) for the purpose of defraying the costs of the 1960 national governors' conference; providing the manner and term for expending the same; providing that rigid budgeting of same shall not be set up by the state controller; specifying the purpose of this act; creating the 1960 national governors' conference fund; and declaring this act valid notwithstanding the provisions of the budget act." Referred to Committee on Appropriations.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole, for consideration of Business under General Orders, under the rules of the previous sitting. Motion carried.

Battin of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Substitute for House Bill No. 36 be concurred in.

That Senate Joint Resolution No. 1 be concurred in.

That Senate Joint Memorial No. 2 be concurred in.

That Senate Bill No. 15 be concurred in.

That Senate Bill No. 55 be concurred in.

That Senate Bill No. 141 be concurred in.

That Senate Bill No. 157 be concurred in.

That Senate Bill No. 200 be amended in section 1, line 2 of the printed bill by deleting the word "interstate" and inserting in lieu thereof the word "intrastate"; and as amended, do pass.

BATTIN, Chairman.

Motion was made by Battin for adoption of the Committee of the Whole report.

Substitute motion was made by Kvaalen that Senate Bill No. 157 be segregated from the Committee report. Motion failed to carry.

Motion by Battin for adoption of the Committee of the Whole report carried. Report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Friday, February 20, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FORTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 20, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Broeder, Curry, Glead, Haines (Missoula), Hawks, Healy, Jensen, McNally, Page (Granite), Reeder, Shea and Woodring, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-sixth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

MESSAGE FROM THE GOVERNOR

February 19, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

H. B. No. 135—Introduced by Battin and Morrison.

Very truly yours,
J. HUGO ARONSON, Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that Senate Bill No. 175 be taken from the Committee on Public Health, Morals and Safety and referred to the Committee on Livestock and Public Ranges. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 527, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the purpose of paying expenses as designated herein, for supreme court, secretary of state, board of pardons, apprenticeship council, transportation of prisoners, board of examiners, state treasurer, vocational school for girls, Montana milk control board, railroad commission, Montana state hospital, State orphans home, district judges, capitol custodian, county attorneys, attorney general, law library, governor's office, Western Montana College of Education, Montana State College, Agricultural Experiment Station, Experimental Substations of the Montana Agricultural Experiment Station, Agricultural Extension Service of Montana State College, and Montana State University, for the remainder of the current fiscal year ending June 30, 1959, it being determined the appropriation made by the Thirty-fifth Legislative Assembly, to be insufficient; and providing for an effective date."

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Substitute for House Bill No. 36 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gunderson, Haines (Prairie), Hanks, Harball, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loughran, McGaffick, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Paulsen,

Picard, Powell, Powers, Raundal, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 72.

Noes: None.

Absent and not voting: Battin, Felt, Gill, Glancy, Holding, Lees, Loman, McGarvey, Parker, Regan. Total 10.

Excused: Broeder, Curry, Gleed, Haines (Missoula), Hawks, Healy, Jensen, McNally, Page (Granite), Reeder, Shea, Woodring. Total 12.

Senate Joint Resolution No. 1 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gunderson, Haines (Prairie), Hanks, Harball, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Battin, Gill, Glancy, Lees, McGarvey. Total 5.

Excused: Broeder, Curry, Gleed, Haines (Missoula), Hawks, Healy, Jensen, McNally, Page (Granite), Reeder, Shea, Woodring. Total 12.

Senate Joint Memorial No. 2 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Casey, Cavan, Clowes, Corcoran, Daniels, Elting, Felt, Fjare, Fladager, Gerard, Glancy, Haines (Prairie), Hanks, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McOmber, Mernin, Nelstead, Nichols, Page (Missoula), Paulsen, Picard, Powell, Raundal, Regan, Reinecke, Sales, Schwinden, Sheehy, Shelden, Sheldon, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 59.

Noes: Angstman, Bradford, Cerovski, Emmons, Gunderson, Harball, Holding, Moudree, Parker, Powers, Rindy, Strnisha, Tonner. Total 13.

Absent and not voting: Bardanouve, Devier, DeWolfe, Eskildsen, Gilfeather, Gill, Lees, McGarvey, Morrison, Nees. Total 10.

Excused: Broeder, Curry, Gleed, Haines (Missoula), Hawks, Healy, Jensen, McNally, Page (Granite), Reeder, Shea, Woodring. Total 12.

Senate Bill No. 15 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gunderson, Haines (Prairie), Hanks, Harball, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McOmber, Mernin, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 75.

Noes: None.

Absent and not voting: Gill, Lees, McGaffick, McGarvey, Morrison, Raundal, Walton. Total 7.

Excused: Broeder, Curry, Gleed, Haines (Missoula), Hawks, Healy, Jensen, McNally, Page (Granite), Reeder, Shea, Woodring. Total 12.

Senate Bill No. 55 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Daniels, Devier, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Harball, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 73.

Noes: Babcock, Elting, Fladager, Hanks, Wright. Total 5.

Absent and not voting: DeWolfe, Holding, McGarvey, Walton. Total 4.

Excused: Broeder, Curry, Gleed, Haines (Missoula), Hawks, Healy, Jensen, McNally, Page (Granite), Reeder, Shea, Woodring. Total 12.

Senate Bill No. 141 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Cerovski, Corcoran, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Hanks, Harball, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McOmber, Mernin, Morrison, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 72.

Noes: Battin, Elting, Felt, Moudree, Sheehy. Total 5.

Absent and not voting: Angstman, Clowes, McGarvey, Nichols, Walton. Total 5.

Excused: Broeder, Curry, Gleed, Haines (Missoula), Hawks, Healy, Jensen, McNally, Page (Granite), Reeder, Shea, Woodring. Total 12.

Senate Bill No. 157 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Hanks, Harball, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 76.

Noes: Kvaalen, Powell. Total 2.

Absent and not voting: Angstman, McGaffick, McGarvey, Walton. Total 4.

Excused: Broeder, Curry, Gleed, Haines (Missoula), Hawks, Healy, Jensen, McNally, Page (Granite), Reeder, Shea, Woodring. Total 12.

Gerard moved that the House grant unanimous consent to amend the title of Senate Bill No. 200 in line 4 of the printed bill by deleting the word "interstate" and inserting in lieu thereof the word "intrastate." Motion carried.

Senate Bill No. 200, as amended, was concurred in by the following vote:

Ayes: Aasheim, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fladager, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McOmber, Mernin, Morrison, Nees, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reinecke, Rindy, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 65.

Noes: Abel, Anderson, Corcoran, Elting, Fjare, Gerard, Jardine, Mou-dree, Nelstead, Nichols, Regan, Sales. Total 12.

Absent and not voting: Angstman, Haines (Prairie), Holecek, Mc-Garvey, Walton. Total 5.

Excused: Broeder, Curry, Gleed, Haines (Missoula), Hawks, Healy, Jensen, McNally, Page (Granite), Reeder, Shea, Woodring. Total 12.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Jardine of Jefferson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 47 be concurred in.

JARDINE, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Gilfeather that the Special Investigating Committee on the Pardons and Parole Board be granted an extension of time, until the fifty-eighth Legislative Day, for making its report. Motion carried.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 30, respectfully report as follows: That Senate Bill No. 30 be concurred in.

KARLBERG, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 35, respectfully report as follows: That Senate Bill No. 35 be concurred in.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 36, respectfully report as follows: That Senate Bill No. 36 be concurred in.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Social Security, having had under consideration Senate Bill No. 43, respectfully report as follows: That Senate Bill No. 43 be amended as follows:

Amend Senate Bill No. 43 in section 3, in line 1 of the printed bill, page 4, being line 1 of the original bill, page 6, by striking out after the word "that," the word and number "section 6," and inserting in lieu thereof the word and number "section 8,"

And as amended, be concurred in.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration Senate Bill No. 115, respectfully report as follows: That Senate Bill No. 115 be concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration Senate Bill No. 138, respectfully report as follows: That Senate Bill No. 138 be concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration Senate Joint Resolution No. 5, respectfully report as follows: That Senate Joint Resolution No. 5 be amended as follows:

Amend lines 28 and 29, page 1, of the original bill, being lines 12 and 13, page 1, of the printed bill, by striking the punctuation and words " , the Honorable J. Hugo Aronson, " ;

And as amended, be concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks,

having had under consideration Senate Bill No. 89 respectfully report as follows: That Senate Bill No. 89 be concurred in.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration Senate Bill No. 91, respectfully report as follows: That Senate Bill No. 91 be concurred in.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration Senate Bill No. 86, respectfully report as follows: That Senate Bill No. 86 be concurred in.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration Senate Bill No. 87, respectfully report as follows: That Senate Bill No. 87 be concurred in.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration Senate Bill No. 88, respectfully report as follows: That Senate Bill No. 88 be concurred in.

STRNISHA, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration Senate Bill No. 90, respectfully report as follows: That Senate Bill No. 90 be concurred in.

STRNISHA, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 20, 1959.

Honorable John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

H. J. M. No. 2—Introduced by Wold, Sheehy, Lees, Felt, Cavan, Hawks, Anderson, Broeder, Babcock and Tonner.

Very truly yours,
J. HUGO ARONSON, Governor.

February 20, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 146 by Morrison et al.

House Bill No. 111 by Jensen.

House Bill No. 114 by Committee on Fish and Game.

House Bill No. 67 by Kvaalen et al.

Substitute House Bill No. 60 by Committee on Highways and Highway Transportation.

House Bill No. 216 by Nichols, Strnisha.

House Bill No. 287 by Hanks et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 20, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 487 by Devier et al.

House Bill No. 115 by Wayrynen, Jensen.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 20, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Majority Committee of State Boards, Offices and Buildings report on this day, report adopted, and the same is herewith returned to the House:

House Bill No. 49 by Barnard et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by McGarvey that Senate Bill No. 2 be taken from the Committee on Workmen's Compensation and referred to the Committee on Social Security. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 528, introduced by the Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the operation,

maintenance and other purposes as designated herein, for certain state departments and offices for the period beginning July 1, 1959, and ending June 30, 1961."

House Bill No. 529, introduced by Chairman of the Appropriations Committee: A bill for an act entitled: "An act to appropriate money to provide funds for the administration of the vocational education act of 1946 by the State Board of Education; appropriating money for the administration of the national defense education act of 1958 by the superintendent of public instruction; and providing that the provisions hereof shall be deemed valid notwithstanding the provisions of the budget act."

House Bill No. 530, introduced by Chairman of the Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the purchase of replacement volume three of the Revised Codes of Montana of 1947."

THIRD READING OF SENATE BILLS

Senate Bill No. 47, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Cavan, Cerovski, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Gilfeather, Gill, Gleed, Gunderson, Hanks, Harball, Holding, Holecek, Holtz, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, Mernin, Morrison, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Reinecke, Rindy, Sheldon, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 60.

Noes: Battin, Sales. Total 2.

Absent and not voting: Anderson, Bardanouve, Casey, Corcoran, Daniels, Felt, Fladager, Gerard, Haines (Prairie), Higham, Howard, McGaffick, McGarvey, McOmber, Moudree, Nichols, Raundal, Regan, Schwinden, Sheehy, Walton. Total 21.

Excused: Broeder, Clowes, Fjare, Glancy, Haines (Missoula), Hawks, Healy, Jensen, McNally, Page (Granite), Shea. Total 11.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Jardine of Jefferson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 487 be concurred in.

That Senate Amendments to House Bill No. 115 be concurred in.

That House Bill No. 523 do pass.

JARDINE, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following, having first been read, were disposed of in the following manner:

Senate Amendments to House Bill No. 487 were concurred in by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Cavan, Cerovski, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Gerard, Gill, Gleed, Gunderson, Hanks, Harball, Holding, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loman, Loughran, Mernin, Morrison, Moudree, Nees, Nelstead, Parker, Paulsen, Picard, Powell, Powers, Reeder, Reinecke, Rindy, Sales, Schwinden, Shelden, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 63.

Noes: Sheldon. Total 1.

Absent and not voting: Abel, Bardanouve, Casey, Corcoran, Daniels, Fladager, Gilfeather, Haines (Prairie), Higham, Kvaalen, McGaffick, McGarvey, McOmber, Nichols, Page (Missoula), Raundal, Regan, Sheehy, Walton. Total 19.

Excused: Broeder, Clowes, Fjare, Glancy, Haines (Missoula), Hawks, Healy, Jensen, McNally, Page (Granite), Shea. Total 11.

Senate Amendments to House Bill No. 115 were concurred in by the following vote:

Ayes: Aasheim, Anderson, Barnard, Bashor, Bentz, Bradford, Cavan, Cerovski, Curry, Devier, Emmons, Eskildsen, Felt, Gerard, Gilfeather, Gill, Gunderson, Harball, Holecek, Holtz, Howard, Jardine, Karlberg, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, Nees, Nelstead, Parker, Paulsen, Powers, Reinecke, Rindy, Sales, Schwinden, Shelden, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 47.

Noes: Angstman, Babcock, Barnes, Battin, Elting, Gleed, Hanks, Holding, Higham, Kiff, Morrison, Moudree, Page (Missoula), Picard, Powell, Reeder, Sheldon, Wright. Total 18.

Absent and not voting: Abel, Bardanouve, Barrett, Casey, Corcoran, Daniels, DeWolfe, Fladager, Haines (Prairie), Kvaalen, McGaffick, McOmber, Mernin, Nichols, Raundal, Regan, Sheehy, Walton. Total 18.

Excused: Broeder, Clowes, Fjare, Glancy, Haines (Missoula), Hawks, Healy, Jensen, McNally, Page (Granite), Shea. Total 11.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Saturday, February 21, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FORTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 21, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Broeder, Fjare, Gill, Haines (Prairie), Jensen, McNally, Paulsen, Shea and Howard, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-seventh Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill considered correctly engrossed: H. B. No. 523.

PARKER, Chairman.

COMMUNICATIONS AND PETITIONS

February 20, 1959.

Allen Donohue, Chief Clerk,
Montana House of Representatives,
Capitol,
Helena, Montana.

Dear Mr. Donohue:

Please be informed that I have sent, as instructed in House Joint Memorial No. 1, certified copies of such Memorial.

Sincerely yours,
FRANK MURRAY,
Secretary of State,

February 19, 1959.

Allen Donohue, Chief Clerk,
Montana House of Representatives,
Capitol,
Helena, Montana.

Dear Mr. Donohue:

Please be informed that I have sent, as instructed in House Joint Memorial No. 9, and House Joint Memorial No. 10, certified copies of such Memorials.

Sincerely yours,
FRANK MURRAY,
Secretary of State,

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, the Majority of your Committee on Education, having had under consideration Senate Joint Resolution No. 4, respectfully report as follows: That Senate Joint Resolution No. 4 be concurred in.

BARRETT,
PARKER,
HOLTZ,
CASEY,
NEES,
SHELDEN (Lincoln),
AASHEIM,
McGARVEY.

Motion was made by Barrett for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Education, having had under consideration Senate Joint Resolution No. 4, respectfully report as follows: That Senate Joint Resolution No. 4 be not concurred in.

CAVAN,
KVAALLEN,
KOLAR,
WRIGHT,
LEUTHOLD.

Substitute motion was made by Cavan for adoption of the Minority Committee report. Substitute motion failed to carry.

Motion by Barrett carried. Majority Committee report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 49, respectfully report as follows: That Senate Bill No. 49 be concurred in.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 50, respectfully report as follows: That Senate Bill No. 50 be concurred in.

KARLBERG, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 51, respectfully report as follows: That Senate Bill No. 51 be concurred in.

KARLBERG, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 20, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by the Committee on Highways and Transportation reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 140 by Babcock et al.

House Bill No. 270 by Lees (by request).

House Bill No. 178 by Hanks, Wood.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 531, introduced by Leuthold, Hanks: A bill for an act entitled: "An act to appropriate the sum of two hundred thousand dollars (\$200,000.00) to the Montana Agricultural Experiment Station for expanded research in wheat quality improvement, and utilization of cereal grains and oil crops which are alternatives to wheat and for marketing of cereal

grains and oil crops; to provide that this act shall be valid notwithstanding the provisions of the budget act and to provide for an effective date."

THIRD READING OF HOUSE BILLS

House Bill No. 523, having been read three several times at length, title and history agreed to, was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Glancy, Gleed, Gundersen, Haines (Missoula), Hanks, Harball, Holding, Higham, Holecek, Holtz, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McOmber, Morrison, Moudree, Nelstead, Page (Missoula), Parker, Picard, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 69.

Noes: None.

Absent and not voting: Anderson, Babcock, Bardonouve, Barrett, Barnard, Daniels, Gilfeather, Hawks, Healy, Mernin, Nees, Nichols, Page (Granite), Powers, Walton, Woodring. Total 16.

Excused: Bröder, Fjare, Gill, Haines (Prairie), Howard, Jensen, McNally, Paulsen, Shea. Total 9.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 10, respectfully report as follows: That Senate Bill No. 10 be concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 11, respectfully report as follows: That Senate Bill No. 11 be concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 12, respectfully report as follows: That Senate Bill No. 12 be concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 13, respectfully report as follows: That Senate Bill No. 13 be concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having

had under consideration Senate Bill No. 31, respectfully report as follows: That Senate Bill No. 31 be concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 32, respectfully report as follows: That Senate Bill No. 32 be concurred in.

GILFEATHER, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 37, respectfully report as follows: That Senate Bill No. 37 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 42, respectfully report as follows: That Senate Bill No. 42 be amended as follows:

Amend the title in line 10 of page 1 of the original bill, being line 7 of page 1 of the printed bill, after the word "assistance" by inserting the words "and containing a repealing clause";

And as amended, be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 48, respectfully report as follows: That Senate Bill No. 48 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 56, respectfully report as follows: That Senate Bill No. 56 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 62, respectfully report as follows: That Senate Bill No. 62 be amended as follows:

Amend in line 15 of the printed bill, after the word "at," by striking out the words "not less than"; and as amended, be concurred in.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 64, respectfully report as follows: That Senate Bill No. 64 be not concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having

had under consideration Senate Bill No. 65, respectfully report as follows: That Senate Bill No. 65 be not concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 66, respectfully report as follows: That Senate Bill No. 66 be concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 71, respectfully report as follows: That Senate Bill No. 71 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 73, respectfully report as follows: That Senate Bill No. 73 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 109, respectfully report as follows: That Senate Bill No. 109 be amended as follows:

Amend line 11 of the original bill after the word "resident" by deleting the period and quotation mark, and insert the following: "; providing for a repealing clause."; and as amended, be concurred in.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 132, respectfully report as follows: That Senate Bill No. 132 be concurred in.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 134, respectfully report as follows: That Senate Bill No. 134 be concurred in.

WAYRYNEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 166, respectfully report as follows: That Senate Bill No. 166 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 181, respectfully report as follows: That Senate Bill No. 181 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under con-

sideration Senate Bill No. 183, respectfully report as follows: That Senate Bill No. 183 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 190, respectfully report as follows: That Senate Bill No. 190 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 199, respectfully report as follows: That Senate Bill No. 199 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 201, respectfully report as follows: That Senate Bill No. 201 be not concurred in.

GILFEATHER, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration Senate Bill No. 128, respectfully report as follows: That Senate Bill No. 128 be concurred in.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration Senate Bill No. 139, respectfully report as follows: That Senate Bill No. 139 be concurred in.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration Senate Bill No. 143, respectfully report as follows: That Senate Bill No. 143 be not concurred in.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration Senate Bill No. 171, respectfully report as follows: That Senate Bill No. 171 be concurred in.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration Senate Bill No. 173, respectfully report as follows: That Senate Bill No. 173 be concurred in.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration Senate Bill No. 172, respectfully report as follows: That Senate Bill No. 172 be concurred in.

HOLTZ, Chairman.

Report adopted.

MESSAGE FROM THE SENATE

February 21, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on State Boards, Offices and Buildings report on this day, report adopted, and the same is herewith returned to the House:

House Bill No. 379 by Tonner, et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times at length and referred to the Committee on Appropriations:

House Bill No. 532, introduced by Barnard: A bill for an act entitled: "An act to appropriate money for the state public school equalization fund and providing for the manner of distribution thereof for the period beginning July 1, 1959, and ending June 30, 1961; and providing that the appropriations herein shall be valid notwithstanding the provisions of the budget act."

House Bill No. 533, introduced by Barnard: A bill for an act entitled: "An act to appropriate money for the payment of insurance premiums for insurance on state property out of certain funds designated herein for the period beginning July 1, 1959, and ending June 30, 1961; and providing that the appropriations herein shall be held valid notwithstanding the provisions of the budget act."

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Cavan of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Senate Bill No. 30 be passed for the day.

That Senate Joint Resolution No. 5 be concurred in.

That Senate Bill No. 35 be concurred in.

That Senate Bill No. 36 be concurred in.

That consideration of Senate Bill No. 43 be passed for the day.

That Senate Bill No. 89 be concurred in.

That Senate Bill No. 91 be concurred in.

That Senate Bill No. 86 be concurred in.

That Senate Bill No. 87 be concurred in.

That Senate Bill No. 88 be concurred in.

That Senate Bill No. 90 be concurred in.

That Senate Bill No. 115 be concurred in.

That consideration of Senate Bill No. 138 be passed for the day.

CAVAN, Chairman.

Motion was made by Cavan for adoption of the Committee of the Whole report.

Substitute motion was made by Gerard to segregate Senate Joint Resolution No. 5 from the committee report. Substitute motion carried.

Motion was made by Cavan that the Committee of the Whole report be adopted, as amended. Motion carried.

Motion was made by Cerovski that the House adjourn until 10:00 a. m., Monday, February 23, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FIFTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 23, 1959

House convened at 10:00 a. m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Anderson, Devier, Felt, Haines (Prairie), Holtz, Nees and Shea, who were excused, and Loman, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Forty-eighth Legislative Day, find the same to be correct.

ESKILDSEN, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Banking and Insurance, having had under consideration Senate Bill No. 58, respectfully report as follows: That Senate Bill No. 58 be concurred in.

REGAN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration Senate Bill No. 193, respectfully report as follows: That Senate Bill No. 193 be concurred in.

ESKILDSEN, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 21, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 521 by Committee on Appropriations.

House Bill No. 55 by Sheehy, et al.

House Bill No. 268 by Gleed.

House Bill No. 17 by Felt, et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 21, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 278 by McGarvey, et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 534, introduced by Barnard: A bill for an act entitled: "An act to appropriate money for renovating, remodelling and repair of the railroad and public service commission offices and the governor's reception room; providing that said money shall be spent only for the purpose so designated; and providing that said appropriations shall be valid notwithstanding the provisions of the budget act."

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 35 was concurred in by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Howard, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Reeder, Regan, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Barnard, Mr. Speaker. Total 77.

Noes: Angstman, Kolar, Sales, Wright. Total 4.

Absent and not voting: Gill, Hawks, Loman, Powers, Raundal, Reinecke. Total 6.

Excused: Anderson, Devier, Felt, Haines (Prairie), Holtz, Nees, Shea. Total 7.

Senate Bill No. 36 was concurred in by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Lees, Leuthold, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 79.

Noes: Kiff, Langston, Sales, Wright. Total 4.

Absent and not voting: Hawks, Holecek, Loman, McGaffick, Powers. Total 5.

Excused: Anderson, Felt, Haines (Prairie), Holtz, Nees, Shea. Total 6.

Senate Bill No. 89 was concurred in by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Loman, Nichols, Wayrynen. Total 3.

Excused: Anderson, Felt, Haines (Prairie), Holtz, Nees, Shea. Total 6.

Senate Bill No. 91 was concurred in by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 83.

Noes: Elting, Jardine. Total 2.

Absent and not voting: Loman, Sheehy, Wayrynen. Total 3.

Excused: Anderson, Felt, Haines (Prairie), Holtz, Nees, Shea. Total 6.

Senate Bill No. 86 was concurred in by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Haines (Missoula), Hanks, Harball, Hawks, Healy, Higham, Holecek, Howard, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 80.

Noes: Elting, Jardine, Kolar. Total 3.

Absent and not voting: Gunderson, Holding, Jensen, Loman, Wayrynen. Total 5.

Excused: Anderson, Felt, Haines (Prairie), Holtz, Nees, Shea. Total 6.

Senate Bill No. 87 was concurred in by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Howard, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 82.

Noes: Elting, Jardine, Kolar, Nichols. Total 4.

Absent and not voting: Loman, Wayrynen. Total 2.

Excused: Anderson, Felt, Haines (Prairie), Holtz, Nees, Shea. Total 6.

Senate Bill No. 88 was concurred in by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Higham, Howard, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 79.

Noes: Elting, Holding, Holecek, Jardine, Kolar, Nichols. Total 6.

Absent and not voting: Loman, Sheldon, Wayrynen. Total 3.

Excused: Anderson, Felt, Haines (Prairie), Holtz, Nees, Shea. Total 6.

Senate Bill No. 90 was concurred in by the following vote:

Ayes: Aasheim, Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Howard, Jensen, Karlberg, Kiff, Kvaalen, Langston, Lees, Leuthold, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: Babcock, Broeder, Elting, Fladager, Jardine, Kolar, Sales. Total 7.

Absent and not voting: Loman, McGaffick, Wayrynen. Total 3.

Excused: Anderson, Felt, Haines (Prairie), Holtz, Nees, Shea. Total 6.

Eskildsen moved that the House grant unanimous consent to amend the title of Senate Bill No. 115 by adding after the last words thereof, the following: "and containing a repealing clause." Motion carried.

Senate Bill No. 115, as amended, was concurred in by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Higham, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 81.

Noes: Fladager, Holecek, Picard. Total 3.

Absent and not voting: Holding, Loman, McGaffick, Wayrynen. Total 4.

Excused: Anderson, Felt, Haines (Prairie), Holtz, Nees, Shea. Total 6.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 146, 287, 67, 111, Sub. 60, 114, 115, 487, 216, 521, 268, 17, 55 and Senate Sub. for House Bill No. 36.

JARDINE, Chairman.

I have examined House Bill No. 67 introduced by me and find the same to be correct.

KVAALEN.

I have examined House Bill No. 114 introduced by the Committee on Fish and Game and find the same to be correct.

STRNISHA, Vice-Chairman.

I have examined House Bill No. 268 introduced by me and find the same to be correct.

GLEED.

I have examined House Bill No. 287 introduced by me and find the same to be correct.

HANKS.

I have examined House Bill No. 146 introduced by me and find the same to be correct.

MORRISON.

I have examined Sub. House Bill No. 60 introduced by the Committee on Highways and Highway Transportation and find the same to be correct.

WOOD, Chairman.

I have examined House Bill No. 55, introduced by me, and find the same to be correct.

SHEEHY.

I have examined House Bill No. 216 introduced by me and find the same to be correct.

NICHOLS.

I have examined House Bill No. 521 introduced by the Committee on Appropriations and find the same to be correct.

BARNARD, Chairman.

I have examined House Bill No. 115 introduced by me and find the same to be correct.

WAYRYNEN.

I have examined House Bill No. 487 introduced by me and find the same to be correct.

DEVIER.

I have examined House Bill No. 17 introduced by Felt and Gerard and find the same to be correct.

GERARD.

I have examined House Bill No. 111 introduced by me and find the same to be correct.

JENSEN.

I have examined Senate Sub. for House Bill No. 36 introduced by the Senate Committee on Agriculture and find the same to be correct.

WOOD for the House,
RICE for the Senate.

The Speaker signed the following bills in open session, the titles having first been read: H. B. Nos. 67, 114, 268, 287, 146, Sub. 60, 55, 216, 521, 115, 487, 17, 111 and Senate Sub. for H. B. No. 36.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Sheehy of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 30 be concurred in.

That Senate Bill No. 43 be concurred in.

That Senate Bill No. 138 be concurred in.

That Senate Joint Resolution No. 5 be amended by striking the previous amendments by the Committee on State Boards and Institutions on February 20, 1959; and as amended, be concurred in.

That Senate Bill No. 10 be concurred in.

That Senate Bill No. 11 be concurred in.

That Senate Bill No. 12 be concurred in.

That Senate Bill No. 13 be concurred in.

That Senate Bill No. 32 be concurred in.

That Senate Bill No. 37 be concurred in.

That consideration of Senate Bill No. 42 be passed temporarily, and be placed on the board ahead of Senate Bill No. 181.

That Senate Bill No. 48 be concurred in.

That Senate Bill No. 49 be concurred in.

That Senate Bill No. 50 be concurred in.

That Senate Bill No. 51 be concurred in.

That Senate Bill No. 56 be concurred in.

That Senate Bill No. 62 be concurred in.

That Senate Bill No. 66 be concurred in.

That Senate Bill No. 71 be concurred in.

That Senate Bill No. 73 be concurred in.

SHEEHY, Chairman.

Motion was made by Sheehy for adoption of the Committee of the Whole report.

Substitute motion was made by Gunderson that Senate Bill No. 138 be segregated from the Committee report. Motion carried.

Sheehy moved that the Committee of the Whole report be adopted, as amended. Motion carried.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on State Boards and Institutions,

having had under consideration Senate Bill No. 102, respectfully report as follows: That Senate Bill No. 102 be concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration Senate Bill No. 155, respectfully report as follows: That Senate Bill No. 155 be amended as follows:

Amend line 13, page 1 of the title of the original bill, being line 8 of the title, page 1 of the printed bill, by inserting the words "in conflict";

And as amended, be concurred in.

ESKILDSEN, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 23, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 88 by Holtz et al.

House Bill No. 401 by Loman et al.

House Bill No. 241 by Wayrynen et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 23, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended by the Committee of the Whole that further action be indefinitely postponed, report adopted, and the bill is herewith returned to the House:

House Bill No. 134 by Wayrynen et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Wayrynen that Senate Bill No. 138 be taken from General Orders and referred to the Committee on Labor. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 535, introduced by Barnard: A bill for an act entitled: "An act to appropriate money for the purpose of supplementing certain funds to defray expenses of the Thirty-sixth Legislative Assembly; pro-

viding that the appropriations herein shall be valid notwithstanding the provisions of the budget act and providing an effective date."

House Bill No. 536, introduced by Appropriations Committee: A bill for an act entitled: "An act to appropriate money for the operation and maintenance and for other purposes designated herein for the several units of the University of Montana, known as Montana State University, Montana State College, Experiment Station and Substations, Extension Service, Montana School of Mines, Western Montana College of Education at Dillon, Eastern Montana College of Education at Billings, and Northern Montana College at Havre, the office of the executive secretary, and for student fare refunds for the period beginning July 1, 1959 and ending June 30, 1961."

House Bill No. 537, introduced by Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state institutions, for the period beginning July 1, 1959, and ending June 30, 1961."

House Bill No. 538, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the State Department of Public Welfare of the State of Montana for public assistance, for administrative costs in the state department and in the county departments of public welfare and for all other expenditures coming under the State Department of Public Welfare which they may lawfully incur, for the period beginning with July 1, 1959, and terminating with June 30, 1961."

House Bill No. 539, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state departments, boards, bureaus and commissions, for the period beginning July 1, 1959, and ending June 30, 1961."

House Bill No. 540, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the operation, maintenance and other purposes, as designated herein, for certain state departments, boards, bureaus and commissions, for the period beginning July 1, 1959, and ending June 30, 1961."

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cеровski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Sheehy of Yellowstone in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 109 be concurred in.

That Senate Bill No. 128 be concurred in.

That Senate Bill No. 132 be concurred in.

That Senate Bill No. 134 be concurred in.

That Senate Bill No. 139 be concurred in.

That Senate Bill No. 166 be concurred in.

That Senate Bill No. 171 be concurred in.

That Senate Bill No. 172 be concurred in.

That Senate Bill No. 173 be concurred in.

That Senate Bill No. 42 be concurred in.

That Senate Bill No. 181 be concurred in.

That Senate Bill No. 183 be concurred in.

That Senate Bill No. 190 be concurred in.

That Senate Bill No. 199 be concurred in.

That Senate Joint Resolution No. 4 be concurred in.

That Senate Amendment to House Bill No. 278 be concurred in.

That Senate Bill No. 31 be concurred in.

SHEEHY, Chairman.

Motion was made by Sheehy for adoption of the Committee of the Whole report.

Substitute motion was made by Eskildsen that Senate Bill No. 31 be segregated from the Committee report. Motion carried.

Substitute motion was made by McNally that Senate Bill No. 132 be segregated from the Committee report. Motion carried.

Motion was made by Sheehy that the Committee of the Whole report be adopted, as amended. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 535, respectfully report as follows: That House Bill No. 535 be amended as follows:

Amend by inserting after the word "mileage," and before the word "claims" in line 19, page 1, of the original bill the words "and per diem."

Further amend in line 23, page 1, after the word "claims" and before the comma ",", by inserting the words "of officers and attaches";

Further amend in line 3, page 2, after the word "printing" and before the word "expenses" by inserting the words "and incidental";

And as amended, do pass.

BARNARD, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

Senate Amendment to House Bill No. 278, having been read, was concurred in by the following vote:

Ayes: Abel, Anderson, Bardanouve, Barrett, Barnard, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reincke, Rindy, Sales, Schwinden, Sheehy, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 77.

Noes: Fladager. Total 1.

Absent and not voting: Aasheim, Angstman, Babcock, Barnes, Emmons, Gunderson, Healy, Raundal, Reeder, Regan, Shelden, Sheldon. Total 12.

Excused: Haines (Prairie), Holtz, Nees, Shea. Total 4.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Tuesday, February 24, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FIFTY-FIRST LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 24, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Battin, Clowes, Curry, Gill, Gleed, Haines (Prairie), Jensen, Mernin, Reeder, Shea, Sheehy, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fiftieth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 52, respectfully report as follows: That Senate Bill No. 52 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 57, respectfully report as follows: That Senate Bill No. 57 be amended as follows:

Amend the title in line 3 of the original bill and line 3 of the printed bill, after the word "section" and before the word "relating" in line 4, by deleting the following: "119, chapter 263, Laws of Montana, 1955," and inserting in lieu thereof the following: "32-21-122 of the Revised Codes of Montana, 1947,"

Further amend in section 1, page 1, line 19 of the original bill and line 1, page 1 of the printed bill, after the word "section" and before the word "be" by deleting the following: "119, chapter 263, Laws of Montana, 1955" and inserting in lieu thereof the following: "32-21-122 of the Revised Codes of Montana, 1947,";

And as amended, be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 106, respectfully report as follows: That Senate Bill No. 106 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 145, respectfully report as follows: That Senate Bill No. 145 be amended as follows:

Amend the title in line 5 of the original bill after the word "section" and before the comma, by striking the figure "1" and inserting in lieu thereof the figure "2";

Amend section 1, line 15, after the word "section" and before the comma, by striking the figure "1" and inserting in lieu thereof the figure "2";

And as amended, be concurred in.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 146, respectfully report as follows: That Senate Bill No. 146 be concurred in.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 182, respectfully report as follows: That Senate Bill No. 182 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 186, respectfully report as follows: That Senate Bill No. 186 be amended as follows:

Amend line 4 of page 1 of the printed bill, being line 19 of page 1 of the original bill, after the word "property" by inserting a ",";

Amend line 4 of page 1 of the printed bill, being line 19 of page 1 of the original bill, after the word "and" and before the word "or" by inserting the word "who";

Amend line 8 of page 1 of the printed bill, being line 25 of page 1 of the original bill, after the word "or" by inserting the word "who";

And as amended, be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Substitute for Senate Bill No. 197, respectfully report as follows: That Senate Substitute for Senate Bill No. 197 be concurred in.

WOOD, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 22, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 266 by Haines (Prairie) et al.

House Bill No. 327 by Sheehy et al.

House Bill No. 394 by Wood.

House Bill No. 166 by Bradford et al.

House Bill No. 147 by Jardine et al.

House Bill No. 47 by Barnard et al.

House Bill No. 202 by Parker, McOmber.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 22, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 163 by Wold, Barrett.

Substitute House Bill No. 263 by Committee on Affairs of Cities.

House Bill No. 378 by DeWolfe et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 22, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by the following Committee reports, reports adopted on this day, and the same are herewith returned to the House:

Recommended for non-concurrence by the Committee on Judiciary:
House Bill No. 152 by Cavan et al.

Recommended for non-concurrence by the Committee on State Boards, Offices and Buildings:

House Bill No. 5 by McGarvey et al.

House Bill No. 442 by Daniels.

Recommended for non-concurrence by the Committee on Constitutional Amendments and Federal Relations:

House Bill No. 150 by Nelstead.

House Bill No. 149 by Nelstead.

Substitute House Bill No. 294 by Committee on Constitutional Amendments and Federal Relations.

House Bill No. 77 by Kvaalen et al.

Recommended for non-concurrence by the Committee on Highways and Transportation:

House Bill No. 411 by Wold et al.

House Bill No. 440 by Broeder et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 23, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion requested that the House return to the Senate, House Bill No. 411.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 22, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 31 by Daniels et al was this day recommended for non-concurrence by the Committee on Judiciary but that Senate Substitute for House Bill No. 31 be concurred in, report adopted, and the original House Bill No. 31 is herewith returned to the House.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 23, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Education report on this day, report adopted, and the same is herewith returned to the House:

House Bill No. 220 by Jardine et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House accede to the request of the Senate and return House Bill No. 411 to that body. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 30 was concurred in by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Bashor, Casey, Cavan, Daniels, Devier, DeWolfe, Eskildsen, Gilfeather, Gunderson, Haines (Missoula), Hanks, Healy, Holding, Higham, Holtz, Howard, Karlberg,

Kvaalen, Langston, Leuthold, McGarvey, McOmber, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Schwinden, Shelden, Sheldon, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 45.

Noes: Anderson, Angstman, Barnes, Bentz, Bradford, Broeder, Cerovski, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Harball, Hawks, Holecek, Jardine, Kiff, Kolar, Lees, Loman, Loughran, McNally, Morrison, Moudree, Powell, Raundal, Reinecke, Rindy, Sales, Strnisha, Walton. Total 32.

Absent and not voting: Corcoran, Glancy, McGaffick, Nichols, Regan. Total 5.

Excused: Babcock, Battin, Clowes, Curry, Gill, Gleed, Haines (Prairie), Jensen, Mernin, Reeder, Shea, Sheehy. Total 12.

Senate Bill No. 43 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reinecke, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 74.

Noes: Holecek, Kvaalen, Powell, Sales. Total 4.

Absent and not voting: Glancy, Nichols, Regan, Woodring. Total 4.

Excused: Babcock, Battin, Clowes, Curry, Gill, Gleed, Haines (Prairie), Jensen, Mernin, Reeder, Shea, Sheehy. Total 12.

The Speaker signed the following bills in open session, the titles having first been read: Senate Bills Nos. 55, 157, 141, 15, 200 and 47.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 67, 114, 268, 287, 146, Sub. 60, 55, 216, 521, 111, 115, 487, 17, Senate Sub. for H. B. 36, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:05 o'clock a.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 278, 266, 202, 327, 166, 394 and 47.

JARDINE, Chairman.

I have examined House Bill No. 327, introduced by Sheehy et al and find the same to be correct.

SCHWINDEN.

I have examined House Bill No. 394 introduced by me, and find the same to be correct.

WOOD.

I have examined House Bill No. 47, introduced by Barnard et al, and find the same to be correct.

BARNARD.

I have examined House Bill No. 278, introduced by McGarvey et al, find the same to be correct.

McGARVEY.

I have examined House Bill No. 166, introduced by Bradford et al, and find the same to be correct.

BRADFORD.

I have examined House Bill No. 202, introduced by Parker, McOmber, and find the same to be correct.

PARKER.

I have examined House Bill No. 266, introduced by Haines (Prairie), et al, and find the same to be correct.

BENTZ.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 266, 202, 166, 278, 47, 394 and 327.

Senate Joint Resolution No. 5 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Cerovski, Jardine, McGaffick, McGarvey, Page (Granite), Regan, Wright. Total 7.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 10 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Cerovski, Haines (Missoula), Holecek, McGaffick, McGarvey, Page (Granite), Regan. Total 7.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 11 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard,

Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Cerovski, Haines (Missoula), Hawks, Jardine, McGarvey, Page (Granite), Regan. Total 7.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 12 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 74.

Noes: Wayrynen. Total 1.

Absent and not voting: Cerovski, Gerard, Haines (Missoula), Jardine, McGaffick, McGarvey, Page (Granite), Paulsen, Regan. Total 9.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 13 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 74.

Noes: None.

Absent and not voting: Barnard, Cerovski, Haines (Missoula), McGaffick, McGarvey, Nichols, Page (Granite), Paulsen, Regan, Sheldon. Total 10.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 32 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham,

Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 76.

Noes: Holecek. Total 1.

Absent and not voting: Barnard, Cerovski, Gerard, Haines (Missoula), McGarvey, Page (Granite), Regan. Total 7.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 48 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: None.

Absent and not voting: Barnard, Cerovski, Haines (Missoula), McGaffick, McGarvey, Page (Granite). Total 6.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 37 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Daniels, Devier, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Nees, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 72.

Noes: Elting, Holding, Holecek, Moudree, Nelstead. Total 5.

Absent and not voting: Bardanouve, Cerovski, DeWolfe, McGaffick, McGarvey, Page (Granite), Walton. Total 7.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 49 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Lough-

ran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: None.

Absent and not voting: Cerovski, McGaffick, McGarvey, Page (Granite), Powers, Sheldon. Total 6.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 50 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cavan, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: None.

Absent and not voting: Broeder, McGaffick, McGarvey, Page (Granite), Powers, Cerovski. Total 6.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 51 was concurred in by the following vote:

Ayes: Abel, Anderson, Angstman, Barnard, Barnes, Bashor, Bentz, Broeder, Casey, Cavan, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Aashiem, Bardanouve, Bradford, Cerovski, McGaffick, McGarvey, Page (Granite), Powers. Total 8.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 56 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Raundal, Regan, Reinecke, Rindy, Sales,

Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Bardanouve, Barnard, Cerovski, McGaffick, McGarvey, Page (Granite), Powers. Total 7.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 62 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Corcoran, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McNally, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 77.

Noes: Moudree. Total 1.

Absent and not voting: Cerovski, Loughran, McGaffick, McGarvey, Page (Granite), Powers. Total 6.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 66 was concurred in by the following vote:

Ayes: Aasheim, Anderson, Barnard, Barnes, Bashor, Bentz, Broeder, Casey, Cavan, Devier, DeWolfe, Elting, Emmons, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Higham, Holecek, Holtz, Howard, Kiff, Kvaalen, Lees, Leuthold, Loman, McNally, McOmber, Nees, Nelstead, Page (Missoula), Paulsen, Picard, Reinecke, Rindy, Sales, Sheehy, Shelden, Sheldon, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 55.

Noes: Abel, Angstman, Bradford, Eskildsen, Fjare, Holding, Jardine, Jensen, Karlberg, Kolar, Langston, Morrison, Moudree, Nichols, Parker, Powell, Raundal, Regan, Schwinden, Strnisha. Total 20.

Absent and not voting: Bardanouve, Cerovski, Daniels, Loughran, McGaffick, McGarvey, Page (Granite), Powers, Corcoran. Total 9.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 71 was concurred in by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Bashor, Bentz, Broeder, Casey, Corcoran, Daniels, Devier, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gunderson, Hanks, Harball, Hawks, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 67.

Noes: Anderson, Angstman, Barnes, Cavan, Gill, Haines (Missoula), Healy, Holding, Morrison, Picard, Strnisha, Wright. Total 12.

Absent and not voting: Bradford, Cerovski, DeWolfe, McGaffick, Powers. Total 5.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 73 was concurred in by the following vote:

Ayes: Aasheim, Bardanouve, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Elting, Emmons, Fjare, Fladager, Gill, Gunderson, Hanks, Harball, Hawks, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Raundal, Regan, Reinecke, Rindy, Sales, Sheehy, Shelden, Sheldon, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 57.

Noes: Abel, Anderson, Angstman, Cavan, Corcoran, DeWolfe, Eskildsen, Felt, Haines (Missoula), Healy, Holding, Holecek, Jardine, Nelstead, Schwinden, Strnisha, Walton, Wright. Total 18.

Absent and not voting: Barnard, Cerovski, Daniels, Devier, Gerard, Gilfeather, Glancy, McGaffick, Powers. Total 9.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Mernin, Reeder, Shea. Total 10.

Senate Bill No. 109 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Daniels, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Parker, Paulsen, Picard, Powell, Powers, Regan, Reinecke, Rindy, Sales, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 70.

Noes: Angstman, Bardanouve, Corcoran, Devier, Haines (Missoula), Higham, Holecek, Jardine, Raundal, Schwinden. Total 10.

Absent and not voting: Gilfeather, McGaffick, Page (Missoula). Total 3.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Jensen, Mernin, Reeder, Shea. Total 11.

Senate Bill No. 128 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Devier, Emmons, Felt, Fjare, Gerard, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 70.

Noes: Angstman, Elting, Fladager, Moudree, Schwinden, Woodring. Total 6.

Absent and not voting: Daniels, DeWolfe, Eskildsen, Gilfeather, McGaffick, McGarvey, Sheldon. Total 7.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Glead, Haines (Prairie), Jensen, Mernin, Reeder, Shea. Total 11.

Senate Bill No. 134 was concurred in by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Casey, Cerovski, Corcoran, Devier, DeWolfe, Emmons, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Karlberg, Kiff, Lees, Leuthold, Loughran, McNally, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powers, Raundal, Regan, Rindy, Sales, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 54.

Noes: Anderson, Angstman, Broeder, Cavan, Elting, Eskildsen, Felt, Fjare, Fladager, Gerard, Jardine, Kolar, Kvaalen, Loman, McOmber, Morrison, Moudree, Nees, Powell, Reinecke, Schwinden, Sheldon, Wright. Total 23.

Absent and not voting: Daniels, Gilfeather, Langston, McGaffick, McGarvey, Paulsen. Total 6.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Glead, Haines (Prairie), Jensen, Mernin, Reeder, Shea. Total 11.

Senate Bill No. 139 was concurred in by the following vote:

Ayes: Aasheim, Abel, Angstman, Bardanouve, Barnard, Barnes, Bradford, Broeder, Casey, Cerovski, Corcoran, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Holding, Higham, Holecek, Holtz, Howard, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 66.

Noes: Anderson, Bashor, Bentz, Cavan, Gill, Healy, Jardine, Kvaalen, Picard. Total 9.

Absent and not voting: Daniels, Gilfeather, Hawks, McGaffick, McGarvey, Parker, Paulsen, Wayrynen. Total 8.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Glead, Haines (Prairie), Jensen, Mernin, Reeder, Shea. Total 11.

Senate Bill No. 166 was concurred in by the following vote:

Ayes: Aasheim, Anderson, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 64.

Noes: Abel, Angstman, Elting, Fladager, Healy, Holecek, Moudree, Sheehy, Strnisha. Total 9.

Absent and not voting: Daniels, Gilfeather, Kiff, McGaffick, McGarvey, Paulsen, Picard, Sheldon, Tonner, Wayrynen. Total 10.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Jensen, Mernin, Reeder, Shea. Total 11.

Senate Bill No. 171 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loughran, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 72.

Noes: Angstman, Elting. Total 2.

Absent and not voting: Daniels, Gilfeather, Kiff, McGaffick, McGarvey, Nees, Paulsen, Picard, Powers, Walton, Loman. Total 11.

Excused: Babcock, Battin, Clowes, Curry, Gleed, Haines (Prairie), Jensen, Mernin, Shea. Total 9.

Senate Bill No. 172 was concurred in by the following vote:

Ayes: Aasheim, Anderson, Bardanouve, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 73.

Noes: Abel, Angstman, Harball, Holecek. Total 4.

Absent and not voting: Daniels, Gilfeather, Loughran, McGaffick, McGarvey, Paulsen, Picard. Total 7.

Excused: Babcock, Barrett, Battin, Clowes, Curry, Gleed, Haines (Prairie), Jensen, Mernin, Shea. Total 10.

Senate Bill No. 173 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Lees, Leuthold, Loman, Loughran, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 72.

Noes: Holecek, Kvaalen, Moudree, Picard, Raundal. Total 5.

Absent and not voting: Daniels, Eskildsen, Gilfeather, Haines (Missoula), Langston, McGaffick, McGarvey, McNally. Total 8.

Excused: Babcock, Battin, Clowes, Curry, Gleed, Haines (Prairie), Jensen, Mernin, Shea. Total 9.

Senate Bill No. 42 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 80.

Noes: Kvaalen. Total 1.

Absent and not voting: Gilfeather, Haines (Missoula), McGaffick, McGarvey, Picard. Total 5.

Excused: Babcock, Battin, Clowes, Gleed, Haines (Prairie), Jensen, Mernin, Shea. Total 8.

Senate Bill No. 181 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 77.

Noes: Kvaalen. Total 1.

Absent and not voting: Daniels, Eskildsen, Gilfeather, Haines (Missoula), Langston, McGaffick, McGarvey, Picard. Total 8.

Excused: Babcock, Battin, Clowes, Gleed, Haines (Prairie), Jensen, Mernin, Shea. Total 8.

Senate Bill No. 183 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gunderson, Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 76.

Noes: Kvaalen. Total 1.

Absent and not voting: Daniels, Eskildsen, Gilfeather, Hanks, Langston, McGaffick, McGarvey, Picard, Powers. Total 9.

Excused: Babcock, Battin, Clowes, Gleed, Haines (Prairie), Jensen, Mernin, Shea. Total 8.

Senate Bill No. 190 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Devier, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 75.

Noes: Angstman, Holecek, Powell, Sales. Total 4.

Absent and not voting: Daniels, DeWolfe, Gilfeather, McGaffick, McGarvey, Powers, Wayrynen. Total 7.

Excused: Babcock, Battin, Clowes, Gleed, Haines (Prairie), Jensen, Mernin, Shea. Total 8.

Senate Bill No. 199 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Angstman, Daniels, Gilfeather, Jardine, Langston, McGaffick, McGarvey. Total 7.

Excused: Babcock, Battin, Clowes, Gleed, Haines (Prairie), Jensen, Mernin, Shea. Total 8.

Senate Joint Resolution No. 4 was concurred in by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cerovski, Daniels, Devier, Emmons, Eskildsen, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holtz, Karlberg, Langston, Lees, Loughran, McNally, McOmber, Moudree, Nees, Nichols, Page (Granite), Parker, Picard, Powers, Reeder, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 48.

Noes: Anderson, Angstman, Bentz, Broeder, Cavan, Corcoran, Curry, Elting, Felt, Fjare, Fladager, Gerard, Haines (Missoula), Hawks, Higham, Holecek, Howard, Kiff, Kolar, Kvaalen, Leuthold, Loman, Morrison, Nelstead, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Walton, Wright. Total 32.

Absent and not voting: DeWolfe, Gilfeather, Jardine, McGaffick, McGarvey, Raundal. Total 6.

Excused: Babcock, Battin, Clowes, Gleed, Haines (Prairie), Jensen, Mernin, Shea. Total 8.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled:

House Bill No. 147.

JARDINE, Chairman.

I have examined House Bill No. 147, introduced by Jardine et al and find the same to be correct.

JARDINE.

The Speaker signed House Bill No. 147 in open session, the title having first been read.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Irrigation and Water Conservation, having had under consideration Senate Joint Memorial No. 3, respectfully report as follows:

That Senate Joint Memorial No. 3 be concurred in.

McOMBER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Conservation, having had under consideration Senate Bill No. 61, respectfully report as follows: That Senate Bill No. 61 be concurred in.

McOMBER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 126, respectfully report as follows:

That Senate Bill No. 126 be amended as follows:

Amend paragraph (h) of subsection 2 of section 2 in line 10 of page 5 of the original bill, being line 90 of page 4 of the printed bill, by deleting the words and figures "five dollars (\$5.00)" and inserting in lieu thereof the words and figures "ten dollars (\$10.00)";

And as amended, be concurred in.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 524, respectfully report as follows: That House Bill No. 524 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 532, respectfully report as follows: That House Bill No. 532 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 534, respectfully report as follows: That House Bill No. 534 do pass.

BARNARD, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 24, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Memorial were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

Substitute House Bill No. 385 by Committee on State Boards and Institutions.

House Bill No. 136 by Wood et al.

House Bill No. 156 by Fladager.

House Bill No. 350 by Cavan et al.

House Bill No. 276 by Wood.

House Bill No. 413 by Felt and Wood.

House Bill No. 122 by McOmber et al.

House Bill No. 165 by Sheehy et al.

House Bill No. 203 by Cavan et al.

House Bill No. 300 by Jardine et al.

House Bill No. 517 by Special Committee on Consolidation of Boards, Bureaus and Departments.

House Bill No. 218 by Jensen, Emmons.

House Joint Memorial No. 12 by Barnard, Gilfeather.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 24, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 138 by Babcock et al.

House Bill No. 225 by Battin.

House Bill No. 70 by Anderson et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Gerard offered a Resolution to the House, bringing Resolution to the Chief Clerk to be read. Upon commencement of the reading of said Resolution by the Chief Clerk, a motion was made by Cerovski that said resolution be referred to the Rules committee. Gerard raised a point of order that any member could introduce a resolution. Point of order was sustained by Speaker and point of order was then raised by Cerovski that under Rule 51, Gerard waived his right to read the resolution and under further language under Rule 51 "Clerk shall read resolution unless otherwise ordered by House." Speaker referred Cerovski's point of order to the Rules committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration Senate Bill No. 140, respectfully report as follows: That Senate Bill No. 140 be concurred in.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Agriculture, Dairying and Horticulture, having had under consideration Senate Bill No. 142, respectfully report as follows: That Senate Bill No. 142 be not concurred in.

HOLTZ, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 147, 327, 394, 47, 278, 166, 202, 266, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:20 o'clock, p. m., delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Rules, having had under consideration the point of order whether a member offering a resolution to the House should be allowed to repossess the resolution and read same from the floor, respectfully report as follows: That the resolution not having been read by the clerk is not properly before the House, and that if the member introducing the resolution desires to do so, he may according to Rule 51 read said resolution from the floor.

BARRETT, Vice-Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

HOUSE RESOLUTION NO. 4

Introduced by Gerard, Sales, Paulsen, Kiff, Higham,
Hawks, Felt, Anderson, Howard, Babcock.

WHEREAS, this morning, the Sergeant at Arms of this House, contrary to the express wishes and directions of the Chairman of the Special Investigating Committee investigating the highway department did cause to be distributed on the desks of the members copies of a report of the Special Investigating Committee of the State Highway Department, and

WHEREAS, the said Sergeant at Arms is understood to have a direct interest in a large portion of the subject matter of said report in that he represents or has represented in a legal or other capacity a number of clients concerned with the routing of highways, and

WHEREAS, the said report had not been read or signed by all the members of the committee prior to its distribution, a fact which said Sergeant at Arms well knew, and

WHEREAS, such action can only lead to the conclusion that the said Sergeant at Arms did apparently distribute said report in the furtherance of ends of his own, and

WHEREAS, it has been called to our attention that the said Sergeant at Arms has gone beyond the duties of his office, has made appearances before committees as either an opponent or proponent of legislation, has sat with standing committees while they were conducting executive sessions, has attempted to influence the voting of members on the floor of this House on certain pieces of legislation and has generally conducted himself in such a manner that he has exceeded the prescribed duties of his office, and

WHEREAS, lobbying by employees of the House is an unethical practice not to be condoned by the Legislature and said Sergeant at Arms has engaged in this practice,

NOW, THEREFORE, BE IT RESOLVED that this House censure said Sergeant-at-Arms,

AND BE IT FURTHER RESOLVED, that said Sergeant at Arms is directed to confine himself to the duties of his office.

Motion was made by Gerard for adoption of the Resolution, and request made for a roll call vote, to be spread on the Journal in full. A sufficient number of seconds arose.

Barrett requested a Call of the House, and asked for fifteen seconds. There being a sufficient number of seconds, the Speaker ordered a Call of the House. Upon completion of roll call, Barrett moved that the Call of the House be dispensed with, progress having been reported. Motion carried.

Motion to adopt the resolution failed to carry by the following vote:

Ayes: Anderson, Angstman, Babcock, Battin, Bentz, Broeder, Cavan, Elting, Felt, Fladager, Gerard, Gleed, Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Leuthold, Loman, McGaffick, Morrison, Nestead, Nichols, Paulsen, Powell, Reinecke, Sales, Walton, Wright. Total 31.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Casey, Cerovski, Curry, Daniels, Devier, Emmons, Eskildsen, Fjare, Gilfeather, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Karlberg, Langston, Lees, Loughran, McGarvey, McNally, McOmber, Moudree, Nees, Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 49.

Absent and not voting: Bashor, DeWolfe, Page (Granite), Page (Missoula). Total 4.

Excused: Bradford, Clowes, Corcoran, Gill, Haines (Prairie), Jensen, Mernin, Regan, Shea, Sheehy. Total 10.

Motion was made by Gunderson that Senate Bill No. 193 be taken from General Orders and referred to the Committee on Public Health, Morals and Safety. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Kvaalen of Richland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 31 be concurred in.

That further consideration of Senate Bill No. 132 be passed for the day.

That Senate Bill No. 58 be concurred in.

That Senate Bill No. 102 be concurred in.

That Senate Bill No. 155 be concurred in.

That Senate Amendments to House Bill No. 163 be concurred in.

That Senate Amendments to Substitute House Bill No. 263 be concurred in.

That Senate Amendments to House Bill No. 378 be concurred in.

That Senate Amendments to House Bill No. 138 be concurred in.

That Senate Amendment to House Bill No. 225 be concurred in.

That Senate Amendment to House Bill No. 70 be concurred in.

KVAALEN, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 3, respectfully report as follows: That Senate Bill No. 3 be not concurred in.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 7, respectfully report as follows: That Senate Bill No. 7 be concurred in.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 108, respectfully report as follows: That Senate Bill No. 108 be concurred in.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 154, respectfully report as follows: That Senate Bill No. 154 be amended as follows:

Amend the title by deleting in line 7 of the original bill the words "District" for the words "ten mill" and inserting in lieu thereof the word "levies";

Amend line 16 by striking the words "regular district levy" and inserting in lieu thereof the word "levies";

And as amended, be concurred in.

BARRETT, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following Senate amendments to House Bills, having been read, were disposed of in the following manner:

Senate Amendments to House Bill No. 163 were concurred in by the following vote:

Ayes: Aasheim, Anderson, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Gerard, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reinecke, Rindy, Sales, Schwinden, Shelden, Tonner, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 64.

Noes: Fladager, Holding, Holecek, Jardine, Nelstead. Total 5.

Absent and not voting: Abel, Babcock, Elting, Felt, Gilfeather, Hingham, Holtz, Leuthold, McGaffick, Page (Granite), Paulsen, Reeder, Strnisha, Walton, Wayrynen. Total 15.

Excused: Bradford, Clowes, Corcoran, Gill, Haines (Prairie), Jensen, Mernin, Regan, Shea, Sheehy. Total 10.

Senate Amendments to House Bill No. 378 were concurred in by the following vote:

Ayes: Aasheim, Anderson, Angstman, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Hingham, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 68.

Noes: Fladager, Holecek. Total 2.

Absent and not voting: Abel, Babcock, Bardanouve, Felt, Gerard, Gilfeather, Holtz, Leuthold, McGaffick, Page (Granite), Parker, Paulsen, Walton, Wayrynen. Total 14.

Excused: Bradford, Clowes, Corcoran, Gill, Haines (Prairie), Jensen, Mernin, Regan, Shea, Sheehy. Total 10.

Senate Amendments to Sub. House Bill No. 263 were concurred in by the following vote:

Ayes: Aasheim, Angstman, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Fladager, Gerard, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Tonner, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 66.

Noes: Holecek. Total 1.

Absent and not voting: Abel, Anderson, Babcock, Bardanouve, Elting,

Felt, Gilfeather, Higham, Holtz, Leuthold, McGaffick, Page (Granite), Parker, Paulsen, Strnisha, Walton, Wayrynen. Total 17.

Excused: Bradford, Clowes, Corcoran, Gill, Haines (Prairie), Jensen, Mernin, Regan, Shea, Sheehy. Total 10.

Senate Amendments to House Bill No. 138 were concurred in by the following vote:

Ayes: Aasheim, Angstman, Barnard, Barnes, Bashor, Bentz, Broeder, Casey, Cerovski, Curry, Daniels, Devier, Elting, Eskildsen, Fjare, Fladager, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Howard, Jardine, Karlberg, Kiff, Kolar, Loman, Loughran, McGarvey, McOmber, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Reeder, Reinecke, Rindy, Sales, Schwinden, Sheldon, Tonner, Wood, Woodring, Wright. Total 54.

Noes: Anderson, Barrett, Battin, Cavan, Emmons, Holecek, Kvaalen, Lees, McNally, Morrison, Shelden, Strnisha, Wold, Mr. Speaker. Total 14.

Absent and not voting: Abel, Babcock, Bardanouve, DeWolfe, Felt, Gerard, Gilfeather, Holtz, Langston, Leuthold, McGaffick, Page (Granite), Paulsen, Raundal, Walton, Wayrynen. Total 16.

Excused: Bradford, Clowes, Corcoran, Gill, Haines (Prairie), Jensen, Mernin, Regan, Shea, Sheehy. Total 10.

Senate Amendment to House Bill No. 225 was concurred in by the following vote:

Ayes: Aasheim, Anderson, Angstman, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Curry, Devier, Elting, Emmons, Eskildsen, Fjare, Fladager, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Higham, Howard, Jardine, Kiff, Kolar, Kvaalen, Langston, Lees, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Reinecke, Rindy, Sales, Schwinden, Sheldon, Strnisha, Tonner, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 63.

Noes: Holding, Holecek. Total 2.

Absent and not voting: Abel, Babcock, Bardanouve, Daniels, DeWolfe, Felt, Gerard, Gilfeather, Holtz, Karlberg, Leuthold, McGaffick, Page (Granite), Paulsen, Raundal, Reeder, Shelden, Walton, Wayrynen. Total 19.

Excused: Bradford, Clowes, Corcoran, Gill, Haines (Prairie), Jensen, Mernin, Regan, Shea, Sheehy. Total 10.

Senate Amendment to House Bill No. 70 was concurred in by the following vote:

Ayes: Aasheim, Anderson, Angstman, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Fjare, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Reeder, Reinecke, Rindy, Sales, Schwinden, Sheldon, Strnisha, Tonner, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 66.

Noes: Eskildsen, Fladager, Holecek. Total 3.

Absent and not voting: Abel, Babcock, Bardanouve, Felt, Gerard, Gil-

feather, Holtz, Leuthold, McGaffick, Page (Granite), Paulsen, Raundal, Shelden, Walton, Wayrynen. Total 15.

Excused: Bradford, Clowes, Corcoran, Gill, Haines (Prairie), Jensen, Mernin, Regan, Shea, Sheehy. Total 10.

Motion was made by Cerovski that the House adjourn until 10:00 a. m., Wednesday, February 25, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FIFTY-SECOND LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 25, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Clowes, Devier, Haines (Prairie), Mernin, Shea and Tonner, who were excused, and Corcoran, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-first Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

February 24, 1959.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 535, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF SELECT COMMITTEES

REPORT OF THE SPECIAL INVESTIGATING COMMITTEE OF THE STATE HIGHWAY DEPARTMENT

Motion was made by Cerovski that the Report of the Special Investigating Committee of the State Highway Department be considered read at length, and the Journal so show. Motion carried.

We, your Investigating Committee of the State Highway Department, do hereby make the following report:

This investigation began on the 13th day of January, 1959. The members of the Committee appointed to serve were as follows:

Truman G. Bradford, Chairman.
Magnus Aasheim, Vice-Chairman.
H. R. "Ike" Nees.
John O. Wold, Jr.
Claude Kiff.
Dan H. Corcoran.

As is well known throughout the State of Montana we are now beginning a very extensive and extremely expensive road expansion program. This program from its very inception had been a subject of controversy in various parts of the state. There seemed to be a rather continual stream of suggestions that our state matching funds were not being spent wisely and that the routing program was not being properly conducted. It appeared to the members of this committee that as thorough an investigation of the Highway Department should be conducted as was possible. The idea being that if the Highway Department is failing to use the funds at its disposal wisely in the early stages of a very extensive program, then the best time to determine that would be now, rather than after the damage was done. Our first thoughts regarding the Highway Department and an investigation of that department, were that, because of the scope and size of the department, the complexity of the department, that an investigation of so huge and complex an organization, if properly conducted would call for expert assistance at all times. Many of the problems were of a financial nature that had to be investigated. Interpretation of records and materials pertaining to bookkeeping could only be properly interpreted by qualified certified public accountants. Material pertaining to engineering formulae and engineering problems could only be interpreted by competent and qualified engineers.

We, of course, realized that an investigation of this scope would call for a considerable financial outlay and further realized that anything less than a thorough and comprehensive investigation would be a waste of time and money. This placed the committee in something of a dilemma because even though we are on the verge of a great highway program that would involve the spending of millions of dollars, the state was also in the throes of a much needed economy drive. The problem, of course, was whether or not to fail to conduct an adequate investigation would be a short-sighted move which would result in the Highway Department receiving the benefit of a whitewash without having the benefit of a thorough investigation.

While it did not appear possible to engage the services of a consulting engineering firm, we nevertheless continued with the investigation along financial lines and retained the assistance of a firm of auditors, whose report is also made a part of this report and to which there will be rather extensive reference throughout this report.

YELLOWSTONE VALLEY

As most people know, our highway system, urban, secondary, primary, and interstate, is underwritten with federal government subsidies. Since most of the difficulties pertaining to roads at present pertain to the primary system and to the interstate system, this report will be based largely on facts pertaining to these two systems. The interstate highway system permits federal government subsidies in the amount of 92% and the remaining 8% is paid by the State of Montana. In our primary system we receive federal assistance in the amount of 57% with 43% coming from the State of Montana.

We realized at the beginning of the investigation that the limited time and money with which we had to work in conducting an investigation of the Montana Highway Department would necessitate that we concentrate our efforts in as few areas of obvious importance as possible, with the hope that if any undesirable tendencies had begun to manifest themselves, they would appear in these areas. Because much work on the interstate system had already begun in the Yellowstone Valley, and, further because there was considerable protest of the routing of the interstate system in the Yellowstone Valley, this appeared to be logical place to start the investigation.

We had been advised that at least two groups had been formed in the Yellowstone Valley who had designated themselves as protective associa-

tions, and the purpose of these groups was to prevent the routing of the interstate highway through the bottom lands lying in the valley floor of the Yellowstone Valley.

It was for this reason that the first interviews began with the members of the Yellowstone Valley Protective Association living in the Big Timber area, and later with the members of the Yellowstone Valley Protective Association living in the Billings-Laurel area. The members of the committee were initially impressed with the sincerity and honesty of these farmers from the Yellowstone Valley. They explained that they had long been fighting the interstate route through the valley and the reason for their fighting was because the interstate route is a limited access highway permitting access at only designated points. They further expressed alarm over the fact that were such a highway to cut through their valley farms, it would place them in a position that would make it practically impossible for them to manage their units on a uniform basis. Also, a limited access highway would possibly place them in a position where they would have to go several miles to get to portions of their farm lying directly across the road from them. They pointed out that because of the high water table in the valley it would be most likely that the only way they could reach the irrigated portions of their farms would be by way of an overpass. This, they felt, would be prohibitive and that most of the smaller farms would be deprived of access to the irrigated portion of their farms.

They further pointed out that they would suggest that the Highway Department constructs its interstate highway a few miles to the north of the valley floor on the table lands on the north side of the Yellowstone Valley. These lands, they stated, were valued at a rate considerably less than the valley lands, being assessed at a valuation of three to eight dollars an acre as compared to the valley lands at in many cases were assessed as high as eighty dollars an acre. They further pointed out that a route following the table lands to the north of the river would be a shorter route, and that this route had actually been used for many years, having originally begun as a stage coach route. (See attached map).

It appeared to many members of the committee that there should be some consideration given to this problem, because of the peculiar nature of the geography of the State of Montana. First of all, we realize that Montana is a semi-arid state containing many thousands of acres of land suitable only to grazing. The Missouri River system, comprising all of the Yellowstone and the Missouri and their tributaries contain the valley lands that are necessary for the production of winter feed for the area. These two major valleys are comparatively narrow, but extremely highly productive in many areas. It was believed, but again without the aid of authority that disruption of these valleys and their economy could have an extremely detrimental effect on the economy of the entire state.

We next interviewed Mr. Powers, who is the interstate engineer for the Highway Department and learned that certain formulae were used in determining the routing of the interstate highway, and we were left with the definite impression that this formulae gave minor consideration to the destruction of irrigated lands. The primary criterion being to serve the most people the cheapest.

While we sympathized with the Yellowstone Valley farmers and their point of view, because we were without the assistance of qualified highway engineers we could not question the formulae given us by the Highway Department engineer, at least in the early stages of the investigation. As the investigation proceeded, this picture changed.

As previously stated, because a considerable amount of expense has been incurred in the Yellowstone Valley in interstate development, it seemed logical to begin our investigation in this area to learn primarily whether or not the taxpayers moneys was being wisely spent.

SPRINGDALE HILL

Beginning at Livingston, Montana, and proceeding in an easterly direction there is a strip of highway approximately eleven miles long terminating at a point which we shall refer to hereafter as Springdale Hill.

It was estimated by Mr. Quinnell, at present, chief engineer of the Highway Department, that this strip of road when completed will cost approximately \$9,000,000.00. Examination of Mr. Quinnell, Chief Engineer of the Highway Department, further revealed that he did not know that Congress has passed a law citing 58 Stat. 891, under section 9 of the Flood Control Act which adopted Senate Bill 191 authorizing Mission Dam, which when completed, would completely inundate this \$9,000,000.00 strip of road. This was true, even though nearly a million dollars of this nine million dollars came directly from the gasoline taxes of the State of Montana.

At the termination of this \$9,000,000.00 strip of highway previously mentioned, the Yellowstone Valley narrows to a width of a few hundred yards. At this point a rocky promontory juts into the Yellowstone River. This, according to the available records is the dam site of the Mission Dam, and is also known as "Springdale Hill." At this point, another rather interesting story begins.

The original plans for the interstate highway called for an estimation of three proposed routes around Springdale Hill. One of these routes would have dropped below the rock and followed the river bed. Another would have routed south of the hill through rather difficult terrain, and the other would have followed the present route. In understanding this point, we refer the reader to exhibit "A" of this report.

For the purpose of this discussion we shall refer only to the proposed route along the river and the present route and shall ignore the alternate route to the south of Springdale Hill. The original plans called for \$1,700,000 to be spent in following the river route, and for \$2,500,000 to be spent for cutting into the cliff along the present route.

For reasons that are clear only to the Highway Department, the route through the present rocky promontory was chosen and the original route was abandoned. After the excavation began it was discovered that a material different in nature from that originally believed to comprise Springdale Hill existed, and that the hill, rather than being of solid rock, was a shale-like material which had a tendency to slide. The result was that it was necessary to enlarge the excavation considerably to prevent the road from sliding. Another result was to increase the total cost of this project to \$3,600,000, or nearly twice the amount estimated on its river route.

Before proceeding with the situation of Springdale Hill perhaps it would be well to explain the method of bidding and letting contracts in the State of Montana. The contractor does not bid a given sum for an entire project, but rather bids a certain amount for the various jobs that appear necessary to complete the contract. We have set forth in the paragraph following an example of a portion of a typical bid sheet:

Item No.	Quantity	Unit	Description	Unit Price	Amount
1104	875,000	Cu. Yd.	Unclassified excavation	\$ 0.96	840,000.00
1161	1,706	Cu. Yd.	Culvert excavation	3.50	5,971.00
1254	450,000	Mi. Yds.	Rolling aggregate excavation	0.20	90,000.00
1401	1,750	Units	Rolling embankment	7.50	13,125.00
1403	121	Units	Rolling aggregate surface courses	8.00	968.00
1406	15	Units	Rolling seal coat	9.00	135.00
1502	13,125	M Gal.	Watering embankment	0.25	3,281.25
1504	559	M Gal.	Watering surface courses	2.00	1,118.00
1505	12	Hours	Watering cover aggregate	10.00	120.00
2323	23,723	Tons	Selected borrow base course	0.80	18,978.40

You will note that the word "unclassified" appears. This is usually the designation of the type of material that has to be removed. The key to determining the bid is usually the amount bid for the unclassified material. For instance, if the contractor anticipates that he will be digging in sand, he will bid low, perhaps in the neighborhood of 40¢ per cubic yard. Again, this figure will be revealed in the unclassified section. The type of material which is anticipated is determined by the state engineer on the job.

As a job proceeds occasionally it appears that a different type of material is encountered than was anticipated. This can result in a small or great amount of material having to be removed. Highway Department specifications require that if the amount of material encountered is 25% greater than originally estimated, or if 25% less than anticipated, then the contract must be renegotiated.

An extreme example of what has already been stated might reasonably set forth as follows: Let us assume that a contract was let to build a road through an area that was originally designated by the engineer as "rocky" formation. Likewise assume further that if the road is going through a cut the walls of the cut must be slanted so that they will not slide into the road. If the designation is "rock," then the side walls could be quite steep as indicated in exhibit "B" of this report.

However, if after the cut is opened and it appears that the material rather than being rock is sandy material which slides easily, it would follow that the sides would have to extend further back to prevent sliding, more like the example in exhibit "C."

Merely by comparing the two diagrams it is obvious that when sand is encountered instead of rock that a greater amount of material must be removed. The reason being of course that the slope cannot be as steep as it would if rock were encountered rather than sand. The attached diagram indicates the difference in the amount of material that would be removed for a contract of a road through a cut if the road is cut through rock as compared with sand formation. (See exhibit "D").

Now it is obvious that when a formation of sand is struck the amount of work is increased. If this increase is in excess of 25% a new work order is required. The contract must then be renegotiated with the contractor under existing specifications. Now, if no changes are made in the bids, for instance let us assume that the price of the unclassified material remains the same in the supplement contract and that all other bid figures remain the same, then it is obvious that the contractor receives the benefit of a situation where he has based his bid prices on the removal of rock and is being paid to remove sand. Obviously this situation is most beneficial to any contractor that may be involved.

At Springdale Hill a situation occurred somewhat similar to the one that has just been explained, the only difference of course being that the material was not as easily removed as sand. In that case, it was believed by the state engineer that the hill was solid rock, and as the job progressed, it was discovered that the hill was of a shale-like formation which had a tendency to slide. The result was that the change in the cut had to be made from something like set forth in the example marked "A," to a situation more like example "B." Obviously a much greater amount of material had to be removed under those circumstances than was originally anticipated. As a matter of fact, the amount was almost 60% over the original, making an increase in the amount of the contract of \$1,100,000.00. The result was that as a practical matter, this contractor received a \$1,100,000.00 contract without having to bid on it. The record further reveals that at the renegotiations no changes were made in the price of removing the unclassified material. This is true, even though the material had such great sliding propensity as to increase the amount of the job by 60%. With this thought in mind, we are obliged to agree with Mr. Quinnell's observation that this particular contractor is indeed a fortunate man.

OTHER CHANGE ORDERS

In considering the change order at Springdale Hill a comparison was made with other change orders in the State of Montana. The largest change order, or work order on a completed job located during this investigation was for \$198,411.25. (At this point it should be noted that Springdale Hill is not a completed job). The principal item of which was for 175,000 cubic yards of unclassified excavation at the original bid price of \$0.92. The reason for the increase was explained as follows: "The original design utilized a swell factor based on an estimated abundance of rock. During the construction, the amount of rock encountered was negligible. In other words, the original bid was based on rock and the contract was completed in a less difficult type of material. Again the contractor was "most fortunate" and again the State of Montana did not demand a renegotiation of the principal material, that being the unclassified material originally thought to be rock. Mr. Quinnell, during his testimony indicated when a situation developed wherein the material encountered was of a less difficult material than it was originally believed to be at the time of the letting that it is not his policy to change the figures at the time of renegotiation. We find this difficult to believe in view of the fact that in one contract where a more difficult type of material was encountered and a change order was issued, the amount of the unclassified was increased from \$0.47 to \$0.80 per cubic yard.

Another interesting aspect of the Springdale Hill project lies in the fact that the lower river route was not taken. It is conceded that some negotiations would have to be made with the Northern Pacific Railway because the following of the lower route would have required the moving of the Northern Pacific Railway from its present location. However, the testimony of Mr. Horace Williams, present program engineer and for many years chief plans engineer with the Highway Department, revealed that the Northern Pacific in the past has always been reasonable in its dealings with the Highway Department. So, we can assume that it should have been no serious problem in this respect. However, for some reason best understood by the Highway Department, the present route was taken without even benefit of a prior investigation of the material involved in the hill. The result has been to increase the cost of circumventing Springdale Hill by 1.8 million dollars over the estimated cost of the lower route. This is the amount which Mr. Williams somewhat facetiously remarked could have permitted the installation and gold-plating of the lower route.

The following points would seem to be of significance in connection with the Springdale Hill project. (1) Failure to study the survey of the Springdale Hill resulted in a million dollar miscalculation of the cost of a road through the hill.

(2) The fact that the chief engineer of the Highway Department who has been with the Highway Department for over thirty years didn't even know about the proposed dam site at Springdale Hill and the fact that an impoundment had been authorized by Congress which would flood the \$9,000,000.00 road from Springdale Hill to Livingston. This is true even though Montana would be obliged to pay approximately 8% of this sum, or nearly a million dollars.

(3) Million dollar contracts in themselves are seldom encountered any place except on the interstate highway system. We are now entering into an era wherein such may perhaps be more common place. However, steps should be taken to avoid a situation where million dollar miscalculations by our state engineers resulting in a given contractor falling heir to a million dollar change order, which is in effect the equivalent of getting a million dollar contract without the necessity of bidding for it. We assume that there is nothing illegal or immoral about this particular situation, however, this procedure should be tightened immediately because if after this extensive and extremely expensive multi-million dollar program of

building highways through Montana is completed and it appears that a certain contractor or certain contractors were favored with million dollar change orders consistently, it would be a well-warranted concern by the citizens of Montana that would come too late. The time to check this is now and the most obvious way to check it is by insisting on more accurate engineering ground work be layed before a highway contract is let.

CONCLUSION

Many of the difficulties at Springdale Hill such as the failure to properly investigate the federal bureaus who may be building dams in the area, the lack of coordination between federal and state officials and the two million dollar miscalculation in the costs of building the road through Springdale Hill, are all a product of an almost frantic effort to build roads first and consider the problems later. This may be motivated by a desire to acquire federal funds and use them whenever available.

At any rate, Springdale Hill and the errors and questions raised is a classic example of what can happen all over the state if the program of road building continues as it has up to date. We must remember that Springdale Hill is one of the first major projects of the interstate highway system in the State of Montana. The building has only begun and we are already off to a very bad and very expensive start.

THE YELLOWSTONE FARM LANDS

If we assume that the loss of irrigated lands due to the impoundment of Mission Dam is questionable perhaps one can find some solace in the fact that this loss will be compensated due to the fact that Mission Dam is a multi-purpose dam designated to produce irrigation for thousands of now unirrigated acres in the State of Montana. Undoubtedly these acres would replace those lost due to the impoundment.

However, in the valley below the dam site this is not the case and the loss of an irrigated acre here is a permanent loss which cannot be replaced by irrigated land elsewhere. It is from there to Billings that we find that most of the farmers and ranchers who believe that a limited access highway through their valley would destroy their farms, their economy, and completely disrupt their lives.

Their arguments are as follows: They point out that the Yellowstone Valley is a comparatively narrow valley composed of small farms by our Montana standards. These farms, however, are highly productive and furnish the winter feed for the cattle and sheep and other livestock whose summer range lies in the adjoining hills. We have briefly mentioned these farmers have recommended that the proposed interstate highway go immediately north of the Yellowstone Highway along the old convict grade road between Livingston and Big Timber and along the old stage coach trail from Big Timber to Billings. This request of course has been refused and these people much to the concern of many of us, believe that this request has been refused because of pressure from Billings. The Highway Department denies that pressure from Billings of a political nature or otherwise was the reason that the river route was chosen rather than routing the road to the north along the bench lands.

BILLINGS WILL BE SERVED WHETHER THE INTERSTATE FOLLOWS THE VALLEY OR THE BENCHLAND NORTH OF THE VALLEY

However, if the pressure is coming from Billings that resulted in the highway being routed in the Yellowstone Valley it is due to a misunderstanding that seems prevalent in Billings that if the interstate highway does not go through the valley it will be routed north either through Grass Range or further, through Havre. This is simply not the case. The present law pertaining to interstate highways requires that the interstate highway

must hit close to Billings, Butte and Great Falls, Bozeman and Helena. However, it is in the discretion of the Montana Highway Commission as to whether it will go down the valley from Livingston or along the table lands about five to ten miles north of the river route. In any event the interstate highway will have to touch Billings regardless of whether it goes north of the Yellowstone as suggested by the farmers and ranchers in the valley or whether it follows the valley floor. If it follows the valley floor, it will come out south of Billings near the sugar factory. If it follows the table lands to the north, it will come out north of Billings between the airport and the rims or else beneath the rims. In other words the only question so far as Billings is concerned in this respect is that if the interstate highway follows the table lands to the north of the river, the city will be served by the interstate from North 27th street or if it follows the valley lands, Billings will be served from South 27th street near the sugar factory. So, if it is pressure that decides, and that pressure comes from Billings, there should be a very easy area compromise between the farmers of Yellowstone Valley and the citizens of Billings. However, we will later point out what might be an embarrassing situation that could have some bearing on this picture despite its apparent simplicity.

After hearing the problem of the farmers of Yellowstone Valley, all were impressed with their sincerity, many members of the committee knew them as a sincere and conscientious people of respected character and judgment.

We could not help but be impressed with the logic of their argument that the route north of the river would be cheaper due to its length, the fact that it traverses unirrigated land of a much lower value, the fact that the high dry route would be free of drainage problems and also because of its light population it would effect the lives of fewer people. Also the enclosed map shows that their proposed route is almost a straight line from Livingston to Billings.

On the other hand, the highway engineers spoke glibly of formulae, etc., that indicated that valley farmers were wrong and because none of the valley farmers were highway engineers no substantial question could be raised on that point until we discovered in the engineering department of the Highway Department a public spirited and sincere gentleman who when placed under oath cut through the red tape that had confused the investigation from its beginning.

"THE TESTIMONY OF HORACE WILLIAMS"

Horace Williams has been with the Highway Department for thirty-three years, is a former road plans engineer and is at present program engineer for the Montana Highway Department. He has participated as an engineer in the construction of 80% of our highways and has a thorough knowledge and understanding of Montana construction problems.

In his statement he pointed out that the route proposed by the Yellowstone Valley farmers immediately north of the Yellowstone River would be less expensive for the following reasons, among others:

It is a shorter route travelling the high-dry table lands where drainage would be a minimum problem. One of the great expenses of building highways is the cost of constructing overpasses and other major structures such as bridges, etc. He pointed out that by proceeding down the river route as proposed it would involve the building of as many new structures between Laurel and Billings as would be necessary in following the northerly route from Billings to Livingston along the table lands north of the river.

Mr. Williams also pointed out that the entire interstate program was hastily considered, due to the fact that in a ninety day period the entire program was mapped and estimated, as a result of pressure from the commission and the Bureau of Public Roads.

Mr. Williams further suggested that the present Highway 10, which follows the Yellowstone Valley could be used as a frontage road on the interstate system and thereby continue to serve the people of the valley as it does at present, leaving the main line of the interstate free to handle interstate and long distance traffic.

Mr. Williams pointed out that this time was totally inadequate for the staff involved and for that reason the entire program should be re-considered and if necessary, a staff of consulting engineers should be called in. Mr. Williams further estimated that \$8,000,000.00 could be saved by routing the road north of the river rather than following the valley floor. Strangely enough, Mr. Quinnell admitted under oath that he didn't know which route would be cheaper.

Mr. Williams further pointed out that if the north route were used it would save building two bridges across the Yellowstone River and the re-routing of the many utility lines, both gas and electric, between Billings and Laurel.

"THE BILLINGS OVERPASS"

In connection with the interstate building program a rather interesting situation has developed in Billings, Montana. However, before this can be adequately discussed a brief statement regarding our financial program in this state may be helpful. As previously stated for our primary highways the State of Montana furnishes 43% of the cost and the federal government furnishes 57%. On our interstate highways the federal government furnishes 92% and the state furnishes 8%.

Further, our state is divided into twelve financial districts, each of which is entitled to a limited amount of money per year. For instance, the district in which Billings is located is entitled to a limited sum of money to use for matching with federal funds in a given year. With these facts in mind, let us proceed with the following situation. In the city of Billings and between the city of Billings and Laurel we have an admittedly bad situation. There is a narrow, dangerous two-lane highway to Laurel that long ago should have been a four-lane highway if it was to continue in use. In hope that the interstate highway would pass through the Yellowstone Valley south of Billings and near the present sugar factory, an application was made to make a proposed overpass a part of the spur to the interstate highway passing 1.5 miles to the south of Billings. This overpass would replace the dangerous underpass now in existence.

Two attempts were made to put this overpass on the interstate system as a spur, thus qualifying it for 92% federal assistance, but so far the Bureau of Public Roads has refused to grant this. This is true, even though Butte and Great Falls were granted spurs. Notwithstanding these refusals, a million dollar overpass was constructed on primary funds at the rate of 43% state money and 57% federal money. This means that 43% of a million dollar overpass has been financed by state matching funds, a sum of money which will undoubtedly weigh heavily against the Billings financial district and mean that if we must proceed with this type of financing, it will be a long time before that project will be completed.

The only hope for reducing this drain on that financial district and on our state matching funds lies in getting this structure approved as a spur in the interstate highway system, thus making the structure and accompanying rights of way available for matching funds at the rate of 92% federal funds and 8% state funds.

If the interstate highway is routed to the north side of Billings rather than south of Billings by way of the sugar factory, the chances of financing this structure with interstate funds will be gone forever, due to the fact that if Billings is to be granted an interstate spur, it would naturally have

to be granted on the north of the town rather than the south side under the facts we have just set forth.

This could be especially embarrassing if the interstate's northerly route connects Laurel and Billings, thus completely obviating the necessity of the present Billings-Laurel highway, together with its expensive overpasses, underpasses, and right-of-way problems.

At any rate, it now should become more apparent why whoever is responsible for the present overpass will fight for Valley routing and will be somewhat embarrassed to say the least if the interstate should be routed to the north. The present two refusals of the Bureau of Public Roads to make the present overpass a spur to the interstate might be an indication that they did not have a high regard for the southerly route through Billings.

Perhaps the farmers and ranchers of the Yellowstone should keep this in mind in presenting their case. Perhaps, too, those who spend their gas money should remember this program particularly if the interstate is routed to the north of Billings, through Laurel and thence into the bench lands to the north of Yellowstone as present alternate routes, the one through the Valley and the one north of the Valley are attached to this opinion and will be helpful to anyone interested in this particular problem. In this respect it is well to note that the valley farmers and ranchers recommend that the road go higher than the alternate northerly route laid out by the State of Montana Highway engineers by about two miles and thus avoid the considerable amount of irrigated land. They contend that the alternate as set forth by the Highway Department was deliberately routed lower than necessary, particularly between the Laurel-Billings area and Livingston to show that the northerly route would cut through as much irrigated land as the southerly route.

Be that as it may, let us keep in mind that there is more than one way to get from Billings to Laurel, one route which would circumvent Billings in northerly fashion and the other which would follow the present route. In the event that the northerly route should be taken someone in Billings and someone on the commission would be very embarrassed.

At any rate, unless the present Billings overpass receives approval as a spur, the citizens of Billings will be a long time in enjoying its convenience. This financial district can stand very few million dollar structures built with 43% matching funds. This is particularly true when one realizes that on this particular project much of the right-of-way approaching the present overpass is still unpurchased. Thus it appears that in Billings we have a million dollar structure with no place to go, and which may, if the interstate is routed to the north of Billings to Laurel, never be needed.

CRITICISM

This is another typical example of hasty, ill-considered spending of state matching funds. Before this expensive million dollar project was undertaken a final determination should have been made as to whether or not the project could qualify for 92% federal assistance. So far, \$400,000 in state matching funds have been gambled on that project with no assurance that it will ever qualify for interstate assistance.

RIGHT-OF-WAY ACQUISITION

One of the most alarming tendencies manifest by the present Highway Department is its present right-of-way purchasing program.

Until as late as last May, it was a firm policy of the Highway Department which was seldom violated, to acquire right-of-way before letting bids. The reason for this policy is obvious, because once the bids are let, everyone knows where the road must go, and those owning land in the area

affected by the bid automatically raise the value of their lands accordingly. Thus, right-of-way purchasers are faced with a hopeless task. On one side they have land owners with exaggerated concepts of the value of their lands, and on the other, contractors pushing to get the land acquisition over so they can proceed with their jobs. The result must be an inevitable one of confusion in the right-of-way purchasing program and unrealistic payments for right-of-way acquisition.

For example, the policy of acquiring a right-of-way before contracts were let changed so radically that the policy became one of letting bids before acquiring right-of-way and in many cases an entire bid letting consisting of as many as fourteen contracts would show better than 50% of the contracts were let without acquisition of right-of-way.

The following are examples of this alarming practice:

1. In the letting of March 27, 1958, of 11 contracts let, one was subject to right-of-way clearance.
2. In the letting of April 24, 1958, of 7 contracts let, no projects were let subject to right-of-way clearance.
3. In the letting of May 22, 1958, of 10 contracts let, no projects were let subject to right-of-way clearance.
4. In the letting of June 25, 1958, of 12 contracts let, three were subject to right-of-way clearance.
5. In the letting of July 22, 1958, of 12 contracts let, three were subject to right-of-way clearance.
6. In the letting of July 23, 1958, of 13 contracts let, seven were subject to right-of-way clearance.
7. In the letting of August 27, 1958, of 17 contracts let, three were subject to right-of-way clearance.
8. In the letting of September 12, 1958, of 12 contracts let, seven were subject to right-of-way clearance.
9. In the letting of September 24, 1958, of 15 contracts let, all 15 were subject to right-of-way clearance.
10. In the letting of October 22, 1958, of 14 contracts let, six were subject to right-of-way clearance.
11. In the letting of November 6, 1958, of 3 contracts let, two were subject to right-of-way clearance.
12. In the letting of November 19, 1958, of 8 contracts let, one was awarded subject to right-of-way clearance.

Another practical example of the difficulties that must inevitably result as a result of this policy is to create the need for many additional work orders. The reason for this can best be shown by the following example:

Let us assume that the highway is to be routed through a particular farm. If the bids are let before the right-of-way is acquired the contractor cannot possibly know what requirements the farmers or ranchers are going to demand of the Highway Department. For instance, there is no way of knowing how many approaches will be demanded. How many underpasses will be demanded. How many culverts may become necessary. The result of this could be a complete change in the grade of the highway, once the demands are made and satisfied. This results in unneeded confusion, not only so far as the right-of-way department is concerned, but very likely additional expense to the people of Montana.

Mr. Quinnell, by the way, since the institution of these hearings, has promised to tighten his program in this respect.

FURTHER EXAMPLES OF POOR PLANNING AND INCONSISTENCIES

(A) HELENA, MONTANA:

An excavation took place at Park Street and Main Street in the City of Helena in which a considerable amount of fill dirt was scattered in various places around Helena. At present plans are under way to widen Lyndale Avenue, which is a few blocks from Park Street and Main Street. This widening will call for fill dirt from Lyndale Avenue. However, in spite of these plans the excavations from Park and Main Streets was distributed to various parts of Helena and now the widening of Lyndale Avenue must be accomplished by hauling fill dirt in from a distant point at a much greater expense.

(B) LIVINGSTON:

One of the most important criteria mentioned by Powers, the highway engineer, in considering routing was the service to the most people. Yet on the present proposed highway on Gardiner to Livingston the road is being routed away from the heavily populated areas and through a thinly populated area much to the concern of many citizens in the Livingston area. Apparently, the criteria here is to get a straighter road. The following is an interesting population comparison so far as these two roads are concerned:

Description	Present	Proposed Road
Farms	102	48
Active schools	5	1
Non-farm dwellings	9	0
Seasonal dwellings	9	3
Churches	2	1
Camp grounds	5	1
Ranger stations	3	1
Post offices	1	1
Fish hatchery	1	0
Mines	0	2
Sawmill	0	1
Businesses	4	2
TOTAL	141	61

(C) CULBERTSON:

The following road design has been criticized by citizens in the Culbertson area as poor design and dangerous. We will leave it to the public to decide whether or not the following situation represents ideal planning of highway intersections. Note further that where U. S. Highway No. 2 intersects Highway 16 the one opportunity to straighten this road and avoid some of the dangerous aspects was avoided even though the only obstacle in the way was a Port of Entry station which belongs to the State Highway Department and which by the way has been abandoned. Mr. Quinnell has agreed that this is not good design.

(D) ROY BRIDGE:

A portion of the approach to the Roy Bridge across the Missouri has sunk about 12 feet since the first of November. Another portion of the same road has continued to slide at a considerable additional expense to the State of Montana. Some engineers suggest that proper core drilling in exploration in advance of this project would have saved the State of Montana from becoming involved in this situation.

Further, it is estimated that a million dollars will be spent in surfacing the highway approaching the Roy Bridge. We also sincerely hope that every attempt will be made to utilize federal lands funds to the fullest extent, particularly where the highway crosses the Fort Peck game range. In this area consisting of eleven miles, the State of Montana is entitled to 100% federal funds if such are available. At present \$2,000,000.00 in this type of funds is available to the eleven western states.

HIGHWAY BUILDING

A \$790,000.00 addition to the Highway Building has been built and paid for in cash with highway funds. Apparently no attempt was made to spread the payment of this building over a period of years. The result has been that the State of Montana is deprived of nearly a million dollars in matching funds which if used on the interstate financing program would have matched nearly ten million dollars worth of interstate highway.

At a time when we are apparently very much in need of matching funds it seems very poor planning to have paid out the entire sum of \$790,000.00. If we assume that the building was necessary, the least that should have been accomplished would have been to have spread the payment over a period of ten years, thereby leaving thousands of dollars available for matching funds.

EMPLOYEES

The purpose of this opinion is not to berate or chastise the many loyal employees of the Highway Department. Ranking from engineers to laborers, the committee recognizes that most of them are competent and conscientious people whose motives, conduct and ability are beyond approach. We believe, however, that the entire staff from the chief engineer on down are the victims of a hurry-up program which if not corrected will result in a loss of millions of dollars not only to the State of Montana but to the federal government as well. Work done in an atmosphere of haste usually results in poor planning and questionable results such as are now beginning to manifest themselves in the interstate program.

HIGHWAY COMMISSION

Our present Highway Commission is appointed by the Governor and is not directly responsible to the people of the State of Montana. There are no basic qualifications. Any one who happens to be a friend of the Governor could conceivably be appointed to serve on the commission. Furthermore, this has become a 50 million dollar a year business and may increase to an even greater amount. Our present commission is a part-time commission, serving without pay. For this reason, we believe that in view of the responsibilities now placed upon the Highway Commission that a full-time elective commission should replace the present appointed, part-time commission.

FEDERAL FUNDS

Most of the frantic pressure comes from the attempt to match federal funds. Before we can continue with our present program let us consider the fact that no matter what happens, the federal government intends to have an interstate highway. If we can't raise the matching funds this year, the same funds will be available next year under our present existing laws. If we take our time and plan properly we will have better highways and they will be less expensive.

GENERAL INFORMATION

Some interesting observations that are set forth in more detail in the auditors' report, which is by this reference expressly made a part of this report as follows:

Gravel Supply

(1) Montana at present has enough gravel to last about five years at present rate of consumption. The total value of stockpiled gravel as of the 1st of July, 1958, was \$2,605,115.93.

Inventories

(2) Inventory revealed that the total inventories of the Helena shop were \$42,031.49. Of this, \$10,622.88 was for spare parts to equipment which was purchased as far back as 1937. Tire and tube inventory showed inventory items purchased in 1951.

Gasoline Storage Facilities

At the time of the audit there was a gasoline inventory in the state of \$776.09. However, in spite of this situation the Highway Department maintains gasoline storage facilities which are carried as an asset of \$101,507.08.

Photographic Equipment

In the year 1953 and subsequent years, photographic equipment was purchased for use in surveying highway routes. The equipment apparently was purchased in advance of the issuance of purchase orders, contrary to present required procedures.

Air Planes

During the past two years the State of Montana Highway Department has purchased three air planes. While there is considerable question in the minds of this committee as to whether or not the Highway Department needs air planes at all, it being quite generally true that private planes are available on a rental basis when needed, an interesting note in this respect is the purchase of them on a lease-purchase basis. One of the planes has shown a charge of 16% interest against it. On another of the planes, interest is charged at the rate of 19%, and on the third plane interest is being charged at the rate of 12%. It hardly seems good business for an organization carrying a cash balance in excess of five million dollars to pay such interest rates.

Mobile Equipment

Again, we find a situation where a considerable amount of equipment was delivered but not vouchered until several months later. This practice defeats accountability and should not be sanctioned by the Highway Commission.

Purchases

It appears that many purchases of equipment are made from the same firms, giving the committee the impression that some firms have an exclusive state agency. The result has been that both equipment and parts have been bought without proper competitive bidding. The first because of specifications and the second because there was no other source of supply.

Equipment

At least two pieces of equipment purchased from one of the firms previously referred to, cost nearly \$22,000.00. These pieces of equipment were located in the same district and operated only 76 hours during the entire fiscal year. It hardly seems that such usage would justify the cost and indicates the possibility of poor planning.

Receipts and Expenditures

The auditors pointed out that except for the work on road contracts

all recording is on a receipt and expenditure basis; that is the money is spent without prior encumbering or obligating. In the instance of contracts the money is set aside as the contracts are let. The opinion is that this method is an antiquated method of recording and places the commission at a considerable disadvantage.

Appraisals

One of the most expensive phases of highway building involves the purchasing of rights-of-way. In reaching the final decision to pay a given amount, considerable weight is placed on the appraisals that are made on each property. In many instances independent appraisers have been called in to appraise property before its purchase and the result has been, so far as observers are concerned, to present a rather confused picture. First of all it appears that there is no standard, fixed method of appraisal, to which appraisers must abide. Secondly, there seems to be no definite relationship between the value of the property involved and the value of the appraisal. For instance, after observing the appraisal method for a considerable length of time the auditors came to the conclusion that the appraisers have been quite generous with the taxpayers money. In one case alone there was a difference in evaluation between two appraisers in the sum of \$143,000.00. A recapitulation of the figures involved show that the lower figure was more nearly realistic, although the actual figure granted was much nearer the high estimate. Many times the appraisers fail to take into consideration insurance coverage and property taxes paid by the property owners. For instance a property that was appraised at an average value of \$220,000.00 is assessed for only \$26,000.00. Property for which the state paid nearly \$150,000.00, for about 70% of the land paid property taxes of only \$1,700.00 on the entire piece of property. Insurance coverage on improvements appraised at about \$180,000.00 was for only \$85,000.00. Another piece appraised at about \$50,000.00 averaged paid property taxes of only \$137.00. It has been suggested by the auditors that one of the methods used by appraisers is seldom on an actual basis and they have suggested that the appraisers should request property owners tax returns or financial statements reflecting income so that values can be computed on a factual basis. It is also suggested that depreciation rates and property ages should be uniform for each property among appraisers. This lack of uniformity in methods of appraisals result in some rather ridiculous variance in appraisals. For instance, it has been found that the variance between appraisers is as much as from \$20,000.00 to \$39,000.00 on comparatively small takings. It is obvious that this method of appraising needs a definite reconsideration and the standards for appraisers should be set up to a definite minimum.

Administrative Expense

The determinations of the Montana State Highway Commission regarding its overhead expenditures are erroneous and computation by the auditors reveal that administrative fund expenditures according to their determination for the three year period of 1956, 1957 and 1958 exceed the commission's determinations by the sums of \$323,068.10, \$682,117.73 and \$838,395.30 respectively. Computation for the year ended in June 30, 1958, indicated that the administrative fund expenditures were within less than \$17,500.00 of exceeding the 8% limitation required by statute. As a matter of fact it may well be that a more detailed examination of expenditures would reveal that the 8% limitation has been exceeded.

Accounting System

The present accounting system of the commission is not up-to-date and while the personnel of the accounting office are conceded to be capable in their job of recording and maintaining records it is believed that there should be a uniform system of accounting for the Highway Department.

Public Relations Department

Some question has been raised as to whether or not the Highway Department must maintain a public relations department, particularly in view of the fact that it already has an advertising department. Without further study along these lines it would perhaps be difficult to make a final judgment on this, however, it is our sincere hope that this department is not used as one to promote the general welfare of the Highway Department and its officials, rather than as a service to the State of Montana.

RECOMMENDATIONS

1. Engineering plans should include better preconstruction procedures such as the more extensive use of core drilling equipment in questionable areas. For instance, it is believed that the difficulties encountered in Springdale Hill and the Roy Bridge approach could have been avoided, had these engineering techniques been employed in advance of construction.

2. The issuance of change orders such as the million dollar change order in the Springdale area should be curtailed, and in the event that a change order of this magnitude again becomes necessary, renegotiations should include a consideration of reducing the unit price if it appears that the contractor is benefiting by receiving a contract involving a less difficult material than originally entered into his calculations. A study of contracts issued by other states would be in order.

3. There should be a reconsideration of the entire routing policy so far as irrigated lands are concerned.

4. The present policy of letting contracts before a right-of-way is acquired should be sharply curtailed.

5. More careful use should be made of matching funds. The building of structures such as the Billings overpass under the 43%/57% matching funds should be sharply curtailed in all cases when it appears that the project is possibly eligible for the higher federal assistance under the interstate program. This policy of gambling our scarce funds at the rate of 43%/57% could prove disastrous in a state now faced with the overwhelming cost of an interstate highway program.

6. At present the Montana Highway Department is a fifty million dollar a year business. This business is being managed by a part-time board of commissioners. This board of commissioners should be made permanent and full-time and that they be made elective. In this manner we may have a board directly responsible to the people of the State of Montana, and one whose full time would be devoted to highway matters.

7. Further study of our present routing and building policies should be made by a qualified engineering firm in order that we may determine whether our tax moneys are being spent wisely. At this point it is well to note that mere reconsideration of policy by our present Highway Department would result in them justifying everything that they have done so far. Nothing would be accomplished by this.

8. The east-west interstate between Livingston and Big Timber and between Big Timber and Billings, should be resurveyed to determine more accurately the feasibility of following the old stage coach road between Billings and Big Timber as recommended by the valley residents. This line would follow approximately along the first township line above the base on the map. Also, particularly in view of the fact that a dam site is planned between Big Timber and Livingston the feasibility of routing the interstate highway in the area now occupied by the old convict grade road should be considered.

9. The entire method of appraising land to be purchased for right-

of-way purposes should be reconsidered and standardized in order that we may have a more realistic appraisal of properties to be purchased. Further, minimum standard qualifications should be set up for appraisers. Further purchases and building projects instituted on behalf of the Highway Department should be handled in such a manner as to avoid large expenditures of money in any one given year.

10. Where it appears that a change order is necessary because of a change in the type of material or for other reasons, if the amount of the change exceeds 30%, the contract should be cancelled and the bids re-let to avoid further situations such as happened at Springdale Hill.

11. In the event that an expensive and extensive program such as we are anticipating should result in questionable practices on the part of employees of the State of Montana, which practices could possibly be designated as malfeasance or misfeasance in office, we have no choice but to let these people remain eligible for retirement benefits under our present law. Perhaps one faced with the possibility of losing his retirement benefits in the event of malfeasance or misfeasance in office would be especially careful to avoid becoming embroiled in questionable situations. For this reason those who are guilty of these practices should be excluded from retirement benefits.

CONCLUSION

The State of Montana is a large state, geographically speaking, but yet the population of the entire state would not be sufficient to populate a moderately large city in the middle west. We are asked to assist in the building of an extensive interstate highway and contribute our tax dollars toward that goal. Evidence has come to our attention that apparently, due to waste and poor planning, our tax dollars have not always been spent wisely. This tendency appearing in the initial stages of such an extensive program is alarming and should be corrected immediately. It is better to discover extravagant tendencies and correct them in the early stages of an extensive program such as this than to be conducting an investigation after the damage has been done and the money is gone.

We sincerely believe that if the recommendations of this committee are followed, that the State of Montana will be saved millions of dollars.

This investigation, due to the lack of funds and the short time in which it must be conducted, was necessarily sketchy and was restricted to a few obvious areas in an attempt to determine whether or not there were discrepancies developing that may need correction. It is our opinion that this survey is merely preliminary and that considerable further research by qualified engineers would be necessary to reach complete conclusion.

We, your Special Investigating Committee of the State Highway Department, do hereby respectfully submit the foregoing report to the House of Representatives.

BRADFORD, Chairman,
AASHEIM, Vice-Chairman,
NEES,
WOLD.

(Substantiating documents on file with committee report in office of Secretary of State.)

Report adopted.

The Speaker signed Senate Joint Resolution No. 1 and Senate Joint Memorial No. 2 in open session, the titles having first been read.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under con-

sideration Senate Bill No. 26, respectfully report as follows: That Senate Bill No. 26 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 39, respectfully report as follows: That Senate Bill No. 39 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 40, respectfully report as follows: That Senate Bill No. 40 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 54, respectfully report as follows: That Senate Bill No. 54 be concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration Senate Bill No. 101, respectfully report as follows: That Senate Bill No. 101 be concurred in.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 121, respectfully report as follows: That Senate Bill No. 121 be concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 151, respectfully report as follows: That Senate Bill No. 151 be concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Boards and Institutions, having had under consideration Senate Bill No. 152, respectfully report as follows: That Senate Bill No. 152 be concurred in.

ESKILDSEN, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Substitute Senate Bill No. 175, respectfully report as follows: That Substitute Senate Bill No. 175 be amended as follows:

Amend the title of said bill on page 2 of the printed bill, line 6, being line 11, page 2 of the original bill, after the word "treasury" by striking the words "and constitute a livestock protection fund";

And further amend the title on page 2 of the printed bill, line 11, being line 16, page 2 of the original bill, after the word "recover" by striking the word "double";

Amend the body of said bill in section 2, line 11, of the printed bill,

being line 23, page 3 of the original bill, by striking the words "or sporting purposes" and inserting in lieu thereof the words "sporting or commercial purposes";

And further amend the body of said bill in Section 3, line 8 of the printed bill, being line 5, page 4 of the original bill, by striking the word and figures "five (5)" and inserting in lieu thereof the word and figure "ten (10)";

And further amend the body of said bill in Section 5, line 4 of the printed bill, being line 28, page 4 of the original bill, by striking the words "who shall receive a fee of" and inserting in lieu thereof the words "designated by the board of county commissioners, who may authorize the payment of a fee of not to exceed";

And further amend the body of said bill in section 17, line 3 of the printed bill, being line 23, page 7 of the original bill, by striking the words "shall constitute a fund to be known as the 'livestock protection fund,' which";

And further amend the body of said bill in section 19, line 2 of the printed bill, being line 4, page 8 of the original bill, by striking the word "twice" and inserting a comma after "dog";

And further amend the body of said bill in section 19, line 3 of the printed bill, being line 5, page 8 of the original bill, by striking the word "twice";

And as amended, be reported out of committee without recommendation.

LANGSTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration Senate Bill No. 194, respectfully report as follows: That Senate Bill No. 194 be concurred in.

MORRISON, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 24, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Substitute House Bill No. 312 by Committee on Military Affairs was this day recommended for non-concurrence by the Committee on Military Affairs but that Senate Substitute for Substitute House Bill No. 312 be concurred in, report adopted, and the original Substitute House Bill No. 312 is herewith returned to the House.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 24, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in, title and history agreed to, and the same is herewith returned to the house:

House Bill No. 129 by Emmons, et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 24, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by the committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 406 by Daniels.

House Bill No. 349 by Cavan.

House Bill No. 465 by Cavan.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 24, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Memorial was on motion this day recommended that further consideration be indefinitely postponed, motion carried, and the same is herewith returned to the House:

House Joint Memorial No. 8 by Tonner, et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 24, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Elections and Apportionments report on this day, report adopted, and the same is herewith returned to the House:

House Bill No. 441 by Hawks, Wood.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Langston that Substitute Senate Bill No. 175 be placed on General Orders. Motion carried.

Motion was made by Cerovski that Third Reading of Senate Bill No. 102 be passed for the day. Motion carried.

Motion was made by Daniels that Senate Bill No. 193 be taken from the Committee on Public Health, Morals and Safety and placed on General Orders. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 31 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Barrett, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gilfeather, Gill, Glancy, Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Leuthold, Loman, Loughran, McGarvey, McNally, Morrison, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 63.

Noes: Barnes, Bashor, Fjare, Langston. Total 4.

Absent and not voting: Bardanouve, Barnard, Battin, Corcoran, Daniels, Gerard, Gleed, Gunderson, Hawks, Jardine, Lees, McGaffick, McOmber, Moudree, Nichols, Page (Granite), Raundal, Reeder, Walton, Woodring, Haines (Missoula). Total 21.

Excused: Clowes, Devier, Haines (Prairie), Mernin, Shea, Tonner. Total 6.

Senate Bill No. 58 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGarvey, McNally, Morrison, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 70.

Noes: Holecek. Total 1.

Absent and not voting: Bardanouve, Barnard, Corcoran, Daniels, Gleed, Haines (Missoula), Hawks, Jardine, Lees, McGaffick, McOmber, Moudree, Nichols, Page (Granite), Reeder, Walton, Woodring. Total 17.

Excused: Clowes, Devier, Haines (Prairie), Mernin, Shea, Tonner. Total 6.

Senate Bill No. 155 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGarvey, McNally, Morrison, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 69.

Noes: None.

Absent and not voting: Babcock, Bardanouve, Barnard, Corcoran, Daniels, Gleed, Haines (Missoula), Hawks, Jardine, Lees, McGaffick, McOmber, Moudree, Nichols, Page (Granite), Powell, Reeder, Walton, Woodring. Total 19.

Excused: Clowes, Devier, Haines (Prairie), Mernin, Shea, Tonner. Total 6.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a

Committee of the Whole for consideration of business under General Orders, under the five-minute rule for debate. Motion carried.

Schwinden of Roosevelt in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 132 be amended in section 1 at the end of the first paragraph following the word "dealers" by inserting the following: "provided that issuance of additional shipment permits shall not be construed as allowing the taking or killing of more than a legal limit of fish in any one day"; and as amended, be concurred in.

That Senate Bill No. 7 be concurred in.

SCHWINDEN, Chairman.

Report adopted.

Cerovski moved that the House recess until 2:00 p. m. this day. Motion carried. House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 44, respectfully report as follows: That Senate Bill No. 44 be concurred in.

BARRETT, Chairman.

Report adopted.

Gerard rose to a point of order questioning as to the status of a minority report on the special investigating committee on the state highway commission which was given the chief clerk at recess. Speaker stated the minority report was being held up temporarily in the hope the author of the report, Mr. Corcoran, could be contacted inasmuch as the report was out of order—the majority committee report of the special highway investigating committee having been made in the morning session, discussed at length, motion made for its adoption and carried thus disposing of the special highway investigation report. Gerard rose to another point of order as to whether or not a member be allowed to submit a minority report. Speaker referred the point of order to the Rules Committee.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 300, 203, 122, 517, 165, 413, 136, 218, 276, Sub. 385 and House Joint Memorial No. 12.

JARDINE, Chairman.

I have examined House Joint Memorial No. 12 introduced by me and find the same to be correct.

BARNARD.

I have examined House Bill No. 276 introduced by me and find the same to be correct.

WOOD.

I have examined House Bill No. 203 introduced by Cavan, et al., and find the same to be correct.

CAVAN.

I have examined House Bill No. 122 introduced by McOmber, et al., and find the same to be correct.

McOMBER.

I have examined House Bill No. 300 introduced by Jardine, et al., and find the same to be correct.

JARDINE.

I have examined House Bill No. 165 introduced by Sheehy, et al., and find the same to be correct.

SHEEHY.

I have examined House Bill No. 218 introduced by Jensen, et al., and find the same to be correct.

JENSEN.

I have examined House Bill No. 136 introduced by Wood, et al., and find the same to be correct.

WOOD.

I have examined House Bill No. 413 introduced by Felt, et al., and find the same to be correct.

FELT.

I have examined Sub. House Bill No. 385 introduced by the Committee on State Boards and Institutions and find the same to be correct.

ESKILDSEN.

I have examined House Bill No. 517, introduced by the Special Committee on Consolidation of Boards, Bureaus and Departments, and find the same to be correct.

REGAN, Chairman.

The Speaker signed House Bills Nos. 276, 203, 122, 300, 165, 218, 136, 413, 517, Sub. 385 and House Joint Memorial No. 12, in open session, the titles having first been read.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 76, respectfully report as follows: That Senate Bill No. 76 be amended as follows:

Amend the title, after the word "for" in line 3 of the printed bill and before the word "and" in line 10, by striking the following: "items authorized and appropriated for, in such budgets shall not exceed ten per centum (10%) of the amount appropriated and authorized for such items for the fiscal year immediately preceding; providing for the filing of copies of the final budget and tax levies therefor with the state examiner by a specified time, and providing for a penalty in case of failure to file"; and inserting in lieu thereof, the following: "deletion of the ten per centum (10%) limitation based on expenditures of previous year in fixing the budget for the coming year; providing a repealing clause."

And further amend in section 1, page 2, in line 21 of the printed bill, after the word "year" and before the word "period" in line 42, by deleting the following: "; and provided further that the amount appropriated and authorized to be expended for any item contained in such budget, except for capital outlay, election expenses, expenditures from county poor funds, and payment of emergency warrants and interest thereof, must not exceed by more than ten per centum (10%) the amount actually (matter deleted) appropriated and authorized for such item under the appropriation contained in the budget approved and adopted for the fiscal year immediately preceding, and the total amount appropriated and authorized to be expended from any fund, except for capital outlay, election expenses and payment of emergency warrants and interest thereon, shall not exceed by more

than ten per centum (10%) the total amount actually (matter deleted) appropriated and authorized for all purposes, except for capital outlay, election expenses, expenditures from county poor funds, and payment of emergency warrants, from such fund under the appropriation made from such fund in the budget approved and adopted for the fiscal year immediately preceding; provided further that the foregoing limitations shall not apply to appropriations and expenditures authorized to be made from the county poor fund for payment of bonds and emergency warrants and interest thereon; and provided further that the total expenditures authorized to be made from any fund, including reserve added thereto as hereinafter provided; shall not, in any event, exceed the aggregate of the cash balance in such fund at the close of the fiscal year immediately preceding, the amount of estimated revenues to accrue to such fund, as determined and fixed in the manner herein provided, and the amount which may be raised for such fund by a lawful tax levy during the fiscal year",

And as amended, be concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration Senate Bill No. 189, respectfully report as follows: That Senate Bill No. 189 be concurred in.

McGARVEY, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 25, 1959

Honorable John J. MacDonald
Speaker of the House of Representatives
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 55—Introduced by Sheehy, Langston, Glancy, Felt, Babcock and Cavan.

H. B. No. 287—Introduced by Hanks, Reeder, Sales, Broeder and Strnisha.

H. B. No. 487—Introduced by Devier, Wood, Daniels and Walton.

H. B. No. 111—Introduced by Jensen.

H. B. No. 114—Introduced by Committee on Fish and Game.

H. B. No. 67—Introduced by Kvaalen, Shelden (Lincoln) and Lees.

H. B. No. 394—Introduced by Wood.

H. B. No. 147—Introduced by Jardine, Abel, Holecek and Daniels.

H. B. No. 202—Introduced by Parker and McOmber.

H. B. No. 266—Introduced by Haines (Prairie), Nichols and Bentz.

H. B. No. 268—Introduced by Glead.

H. B. No. 251—Introduced by Committee on Appropriations.

Sen. Sub for H. B. No. 36—Introduced by Senate Committee on Agriculture.

H. B. No. 216—Introduced by Nichols and Strnisha.

H. B. No. 115—Introduced by Wayrynen and Jensen.

Very truly yours,
J. HUGO ARONSON,
Governor.

February 25, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by the Committee on Public Health and Safety reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 243 by Gunderson, et al.

House Bill No. 490 by Cerovski, Haines (Missoula).

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Memorial were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate Amendments:

House Joint Memorial No. 7 by Tonner, et al.

House Bill No. 198 by Sheehy, Battin.

House Bill No. 94 by Haines (Missoula), et al.

House Bill No. 133 by Daniels.

House Bill No. 438 by Broeder, Strnisha.

House Bill No. 299 by Haines (Prairie), et al.

House Bill No. 235 by Jardine, et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1959

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 174 by Elting, et al.

House Bill No. 173 by Walton, et al.

House Bill No. 172 by Committee on Livestock and Public Ranges.

House Bill No. 523 by Committee on Appropriations.

House Bill No. 519 by Special Committee on Consolidation of Boards, Bureaus and Departments.

House Bill No. 277 by Barrett, Holtz.

House Bill No. 127 by Sheehy.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that Senate Bill No. 102 be taken from Third Reading and placed on General Orders. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Schwinden of Roosevelt in the Chair. Committee arose.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 52 be concurred in.

That Senate Bill No. 57 be concurred in.

That Senate Bill No. 61 be concurred in.

That Senate Bill No. 106 be concurred in.

That Senate Bill No. 108 be concurred in.

That Senate Bill No. 126 be concurred in.

That further consideration of Senate Bill No. 140 be indefinitely postponed.

That Senate Bill No. 145 be amended in the title by striking out in line 5 of the printed bill (being line 8 of the original bill) the word "building";

Be further amended in section 1 by striking out in line 14 of the printed bill (being line 32 of the original bill) the word "building"; and as amended, be concurred in.

That Senate Bill No. 146 be concurred in.

That Senate Bill No. 154 be concurred in.

That Senate Bill No. 182 be concurred in.

That Senate Bill No. 186 be concurred in.

That Senate Sub for Senate Bill No. 197 be concurred in.

That Senate Joint Memorial No. 3 be concurred in.

That Senate Bill No. 193 be concurred in.

That Senate Amendments to House Joint Memorial No. 7 be concurred in.

That Senate Amendments to House Bill No. 198 be concurred in.

That Senate Amendments to House Bill No. 94 be concurred in.

That Senate Amendments to House Bill No. 133 be concurred in.

That Senate Amendments to House Bill No. 438 be concurred in.

That Senate Amendments to House Bill No. 299 be concurred in.

That Senate Amendments to House Bill No. 235 be concurred in.

Amend the title of Senate Bill No. 102 by striking out the figures "38-1106" and inserting in lieu thereof after the figures "38-1107" the following: "and amending section 38-1108";

Amend section 1 of Senate Bill No. 102 by striking out in line 1 of the printed bill the figures "38-1106" and inserting a new section as follows: "Section 2. Section 38-1106, Revised Codes of Montana, 1947, is hereby amended to read as follows:

38-1106. (matter deleted)

Upon (matter deleted) delivery of any person to the home, the patient shall be under the care, custody and control of the superintendent until discharged by the superintendent or by a court of competent jurisdiction.

The provision of the law applicable to the costs of the care and maintenance of persons otherwise committed and confined in the state hospital at Warm Springs shall be applicable likewise to the costs of the care and maintenance of senile persons."

Further amend Section 1 by inserting a new section, as follows: "Section 3. Section 38-1108, Revised Codes of Montana, 1947, is hereby amended to read as follows:

38-1108. Transfer of patients from state hospital to home. The superintendent of the hospital at Warm Springs, Montana, is authorized to have examinations of the patients at that institution made by competent doctors for the purpose of ascertaining whether some patients (matter deleted) there should be transferred to the home, and if as a result of such examinations any persons are found to be senile, the state board of examiners of the state of Montana is authorized to order their transfer from the state hospital at Warm Springs, Montana, to he home."

Further amend section 2 by striking out in line 1, the word and figure "Section 2" and inserting in lieu thereof the word "Section 4";

Further amend section 3 by striking out in line 1, the word and figure "Section 3" and inserting in lieu thereof the word "Section 5";

And as amended, Senate Bill No. 102 be concurred in.

SCHWINDEN, Chairman.

Motion was made by Schwinden for adoption of the Committee of the Whole report.

Substitute motion was made by Cavan that Senate Bill No. 193 be segregated from the committee report. Cavan requested a roll call vote, the results thereof to be spread on the Journal in full, and that there be a Call of the House. There being a sufficient number of seconds, the Speaker ordered a Call of the House.

Upon completion of roll call, Cavan moved that, progress having been shown the Call of the House be dispensed with. Substitute motion was made by Cerovski that the Call of the House not be dispensed with, sufficient progress not having been made. Motion carried. Further progress later being shown, Cerovski moved the Call of the House be dispensed with. Motion carried.

Substitute motion by Cavan for segregation of Senate Bill No. 193 failed to carry by the following vote:

Ayes: Anderson, Angstman, Babcock, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Curry, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Gunderson, Hanks, Hawks, Higham, Holecek, Howard, Kiff, Kolar, Lees, Loman, McGaffick, Morrison, Moudree, Nichols, Paulsen, Powell, Raundal, Regan, Reinecke, Sales, Walton, Wright. Total 38.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Cerovski, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Haines (Missoula), Harball, Healy, Holding, Holtz, Jensen, Karlberg, Langston, Leuthold, McGarvey, McNally, McOmber, Nees, Neststead, Page (Granite), Page (Missoula), Parker, Picard, Powers, Reeder, Rindy, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 47.

Absent and not voting: Corcoran, Jardine, Kvaalen, Loughran. Total 4.

Excused: Clowes, Haines (Prairie), Mernin, Shea, Tonner. Total 5.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 524, 532 and 534, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 517, 122, 203, 300, 165, Sub. 385, 218, 413, 136 and 276, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:40 o'clock p. m., delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 378, 163, 350, 129 and 173.

JARDINE, Chairman.

I have examined House Bill No. 378 introduced by DeWolfe, et al., and find the same to be correct.

DEWOLFE.

I have examined House Bill No. 163 introduced by Wold and Barrett and find the same to be correct.

WOLD.

I have examined House Bill No. 350 introduced by Cavan, et al., and find the same to be correct.

CAVAN.

I have examined House Bill No. 129 introduced by Emmons, et al., and find the same to be correct.

EMMONS.

I have examined House Bill No. 173 introduced by Walton, et al., and find the same to be correct.

WALTON.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 378, 163, 350, 129 and 173.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under

consideration House Bill No. 396, respectfully report as follows: That House Bill No. 396 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 533, respectfully report as follows: That House Bill No. 533 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 525, respectfully report as follows: That House Bill No. 525 do not pass, but that

Substitute House Bill No. 525, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate by means of the issuance and sale by the state board of examiners of bonds in addition to bonds already authorized to be issued and sold for the purpose of completing construction, building and furnishing quarters for the governor; designating the monies from which said bonds should be paid; providing that such monies shall be placed in the governor's quarters construction interest and sinking fund; enumerating the powers and duties of the state board of examiners in carrying out the provisions of this act; providing that the appropriation herein provided for shall be valid notwithstanding the provisions of the budget act; and providing for an effective date."

Be reported out of committee without recommendation.

BARNARD, Chairman.

Report adopted.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times:

Substitute House Bill No. 525, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate by means of the issuance and sale by the state board of examiners of bonds in addition to bonds already authorized to be issued and sold for the purpose of completing construction, building and furnishing quarters for the governor; designating the monies from which said bonds should be paid; providing that such monies shall be placed in the governor's quarters construction interest and sinking fund; enumerating the powers and duties of the state board of examiners in carrying out the provisions of this act; providing that the appropriation herein provided for shall be valid notwithstanding the provisions of the budget act; and providing for an effective date."

MOTIONS AND RESOLUTIONS

Motion was made by Barnard that Substitute House Bill No. 525 be printed and placed on General Orders. Motion carried.

THIRD READING OF HOUSE BILLS

The following Senate Amendments to House Bills, having been read, were disposed of in the following manner:

Senate Amendments to House Joint Memorial No. 7 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Curry, Devier, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Hanks,

Harball, Healy, Holding, Higham, Holecek, Howard, Jensen, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, McGaffick, McGarvey, McNally, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Wood, Wright, Mr. Speaker. Total 64.

Noes: None.

Absent and not voting: Angstman, Babcock, Barnard, Cerovski, Corcoran, Daniels, DeWolfe, Elting, Emmons, Felt, Haines (Missoula), Hawks, Holtz, Jardine, Kvaalen, Loman, Loughran, McOmber, Nichols, Page (Granite), Shelden, Walton, Wayrynen, Woodring, Wold. Total 25.

Excused: Clowes, Haines (Prairie), Mernin, Shea, Tonner. Total 5.

Senate Amendments to House Bill No. 198 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Curry, Daniels, Devier, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Higham, Holecek, Howard, Jensen, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Wood, Wright, Mr. Speaker. Total 67.

Noes: None.

Absent and not voting: Babcock, Barnard, Cerovski, Corcoran, DeWolfe, Elting, Emmons, Felt, Gleed, Haines (Missoula), Hawks, Holtz, Jardine, Kvaalen, McOmber, Nichols, Page (Granite), Shelden, Walton, Wayrynen, Woodring, Wold. Total 22.

Excused: Clowes, Haines (Prairie), Mernin, Shea, Tonner. Total 5.

Senate Amendments to House Bill No. 94 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Curry, Daniels, Devier, DeWolfe, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Strnisha, Wood, Wright, Mr. Speaker. Total 68.

Noes: None.

Absent and not voting: Babcock, Bardanouve, Barnard, Cerovski, Corcoran, Elting, Emmons, Felt, Gleed, Haines (Missoula), Hawks, Jardine, McGaffick, McOmber, Nichols, Page (Granite), Shelden, Walton, Wayrynen, Woodring, Wold. Total 21.

Excused: Clowes, Haines (Prairie), Mernin, Shea, Tonner. Total 5.

Senate Amendments to House Bill No. 133 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Daniels,

Devier, DeWolfe, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lee, Leuthold, Loman, Laughran, McGarvey, McNally, Morrison, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Sheehy, Sheldon, Strnisha, Wood, Wright, Mr. Speaker. Total 68.

Noes: None.

Absent and not voting: Babcock, Bardanouve, Barnard, Corcoran, Elting, Emmons, Felt, Gleed, Haines (Missoula), Hawks, Jardine, McGaffick, McOmber, Moudree, Nichols, Schwinden, Shelden, Walton, Wayrynen, Woodring, Wold. Total 21.

Excused: Clowes, Haines (Prairie), Mernin, Shea, Tonner. Total 5.

Senate Amendments to House Bill No. 438 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry Daniels, Devier, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, Morrison, Nees, Nelstead, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Sheehy, Strnisha, Wood, Wright, Mr. Speaker. Total 64.

Noes: None.

Absent and not voting: Babcock, Bardanouve, Barnard, Corcoran, DeWolfe, Elting, Emmons, Felt, Gleed, Haines (Missoula), Hawks, Jardine, McGaffick, McOmber, Moudree, Nichols, Parker, Raundal, Schwinden, Shelden, Sheldon, Walton, Wayrynen, Woodring, Wold. Total 25.

Excused: Clowes, Haines (Prairie), Mernin, Shea, Tonner. Total 5.

Senate Amendments to House Bill No. 299 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry Daniels, DeWolfe, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Langston, Lees, Leuthold, Loughran, McGarvey, McNally, Morrison, Nees, Nelstead, Page (Missoula), Paulsen, Picard, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Sheehy, Sheldon, Strnisha, Wood, Wright, Mr. Speaker. Total 60.

Noes: Kolar, Kvaalen. Total 2.

Absent and not voting: Babcock, Bardanouve, Barnard, Corcoran, Devier, Elting, Emmons, Gleed, Haines (Missoula), Hawks, Higham, Jardine, Loman, McGaffick, McOmber, Moudree, Nichols, Page (Granite), Parker, Powell, Raundal, Schwinden, Shelden, Walton, Wayrynen, Woodring, Wold. Total 27.

Excused: Clowes, Haines (Prairie), Mernin, Shea, Tonner. Total 5.

Senate Amendments to House Bill No. 235 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry Daniels,

Devier, DeWolfe, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, Morrison, Nees, Nelstead, Page (Missoula), Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Sheehy, Sheldon, Strnisha, Wood, Wright, Mr. Speaker. Total 66.

Noes: None.

Absent and not voting: Babcock, Bardanouve, Barnard, Corcoran, Elting, Emmons, Gleed, Haines (Missoula), Hawks, Jardine, McGaffick, McOmber, Moudree, Nichols, Page (Granite), Parker, Raundal, Schwinden, Shelden, Walton, Wayrynen, Woodring, Wold. Total 23.

Excused: Clowes, Haines (Prairie), Mernin, Shea, Tonner. Total 5.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 132 was concurred in by the following vote:

Ayes: Aasheim, Anderson, Barrett, Barnes, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Daniels, Elting, Fjare, Gerard, Gilfeather, Gill, Glancy, Holding, Higham, Jensen, Karlberg, Kiff, Kolar, Leuthold, Loman, McGarvey, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Paulsen, Picard, Powell, Regan, Reinecke, Rindy, Sheehy, Shelden, Strnisha, Wood, Wright, Mr. Speaker. Total 43.

Noes: Abel, Angstman, Bashor, Bradford, Fladager, Gunderson, Hanks, Harball, Healy, Holecek, Holtz, Howard, Kvaalen, Langston, Loughran, McNally, Parker, Powers, Raundal, Sales, Schwinden, Sheldon. Total 22.

Absent and not voting: Babcock, Bardanouve, Barnard, Corcoran, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Gleed, Haines (Missoula), Hawks, Jardine, Lees, McGaffick, McOmber, Nichols, Page (Granite), Reeder, Walton, Wayrynen, Woodring, Wold. Total 24.

Excused: Clowes, Haines (Prairie), Mernin, Shea, Tonner. Total 5.

Motion was made by Daniels that Senate Bill No. 7, on third reading, be passed for the day. Motion failed to carry.

Cerovski moved for a Call of the House, before third reading on Senate Bill No. 7, it being a bill calling for a constitutional amendment. There being a sufficient number of seconds, the Speaker ordered a Call of the House. Upon completion of roll call, Daniels moved that the Call of the House be dispensed with, progress having been reported. Motion carried.

Senate Bill No. 7, being a bill calling for a constitutional amendment, was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Devier, DeWolfe, Eskildsen, Felt, Gilfeather, Gill, Glancy, Gleed, Gunderson, Hanks, Harball, Hawks, Healy, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Langston, Lees, Leuthold, Loughran, McGarvey, McOmber, Morrison, Moudree, Nees, Page (Granite), Parker, Paulsen, Picard, Powers, Reeder, Regan, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 65.

Noes: Daniels, Elting, Emmons, Fjare, Fladager, Gerard, Haines (Mis-

soula), Holding, Higham, Kiff, Kolar, Kvaalen, Loman, McNally, Nelstead, Nichols, Page (Missoula), Powell, Raundal, Reinecke, Sales, Wold. Total 22.

Absent and not voting: McGaffick. Total 1.

Excused: Clowes, Corcoran, Haines (Prairie), Mernin, Shea, Tonner. Total 6.

Senate Bill No. 7, introduced by Durkee, Cumming, Hagenston, Clark, Mackay, Streeter, James: A bill for an act entitled: "An act to provide for the submission to the qualified electors of the State of Montana an amendment to section 11, article XI of the Constitution of the State of Montana relating to the general control and supervision of the State University and the various other state educational institutions, to provide for the establishment of a state board of education consisting of eight members to be appointed by the governor, subject to confirmation by the senate, under the regulations and restrictions to be provided by law, to provide that the general control and supervision of the public, free, common schools shall be vested in the state board of education; to provide that the general control and supervision of the University of Montana shall be vested in a board of regents, whose powers and duties shall be prescribed by law, to provide that the board of regents shall consist of eight members, appointed by the governor, subject to confirmation by the senate, under the regulations to be provided by law; to provide for an effective date."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. That section 11 of Article XI of the Constitution of the State of Montana be amended as hereinafter provided, and that the question of such amendment be submitted to the qualified electors of the State of Montana, at the general election to be held in November of 1960.

Section 2. That section 11 of article XI of the Constitution of the State of Montana be, and the same is hereby amended to read as follows:

"Section 11. The general control and supervision of the (matter deleted) public, free, common schools shall be vested in a state board of education, whose powers and duties shall be prescribed and regulated by law. The said board shall consist of (matter deleted) eight members, (matter deleted) appointed by the governor; subject to the confirmation of the Senate, under the regulations and restrictions to be provided by law. The general control and supervision of the University of Montana shall be vested in a board of regents, whose powers and duties shall be prescribed by law. The said board shall consist of eight members, appointed by the governor, subject to confirmation of the Senate, under the regulations and restrictions to be provided by law.

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed upon an official ballot provided by chapter 11 of title 23 of the Revised Codes of Montana, 1947, as amended by chapter 79 of the session laws of Montana of 1949, and as amended by chapter 72 of the session laws of 1953, and as provided by law; and there shall be printed on such ballots the title of this act and the following words:

- ☐ For the above amendment.
- ☐ Against the above amendment.

Section 4. The votes cast for and against the amendment herein proposed shall be counted, canvassed, and determined by such officials and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment, the governor of the state shall so declare by public proclamation, and said amendment shall be in full force and effect as a part of the

Constitution of the State of Montana from and after the date of July 1, 1961.

Motion was made by Cеровski that the House adjourn until 10:00 a.m., Thursday, February 26, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FIFTY-THIRD LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 26, 1959.

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Clowes, Corcoran, Gill, Holecak, Jensen, Lees, Loman, Paulsen, Shea and Sheehy, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-second Legislative Day, find the same to be correct.

ESKILDSEN, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Social Security, having had under consideration Senate Bill No. 98, respectfully report as follows: That Senate Bill No. 98 be not concurred in.

PARKER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 136, respectfully report as follows: That Senate Bill No. 136 be concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 135, respectfully report as follows: That Senate Bill No. 135 be amended as follows:

Amend in line 3 and 4 of the title of the printed bill, line 7 of the original bill, by striking the words "acquiring and equipping" and inserting in lieu thereof the word "maintaining";

And as amended, be concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration Senate Bill No. 174, respectfully report as follows: That Senate Bill No. 174 be not concurred in.

PICARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 191, respectfully report as follows: That Senate Bill No. 191 be concurred in.

KARLBERG, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 25, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for indefinite postponement of further action by the Committee of the Whole, report adopted, and the same are herewith returned to the House:

House Bill No. 121 by McOmber et al.

House Bill No. 393 by Gill et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for non-concurrence by the Committee on Public Lands report on this day, report adopted, and the same is herewith returned to the House:

House Bill No. 425 by Bardanouve.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that Substitute House Bill No. 426 by the Committee on State Lands, Forests and Parks was this day recommended for non-concurrence by the Committee on Public Lands, but that Senate Substitute for Substitute House Bill No. 426 be concurred in, report adopted, and the original Substitute House Bill No. 426 is herewith returned to the House.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion requested that the House return to the Senate, House Bill No. 480.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 381 by Sheehy and Battin was this day recommended for non-concurrence by the Committee on Irrigation and Water Conservation but that Senate Substitute for House Bill No. 381 be concurred in, report adopted, and the original House Bill No. 381 is herewith returned to the House.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 33 by Holding et al was this day recommended for non-concurrence by the Majority of the Committee on Labor and Compensation but that Senate Substitute for House Bill No. 33 be concurred in, report adopted, and the original House Bill No. 33 is herewith returned to the House.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 272 by Holding.

House Bill No. 244 by Gilfeather et al.

House Bill No. 480 by McGarvey.

Substitute House Bill No. 125 by Committee on Affairs of Cities.

House Bill No. 324 by Wold et al.

Substitute House Bill No. 57 by Committee on State Boards and Institutions.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 300—Introduced by Jardine, Schwinden and Sheehy.

H. B. No. 327—Introduced by Sheehy, Felt, Wood, Sales and Schwinden.

Very truly yours,
J. HUGO ARONSON, Governor.

MOTIONS AND RESOLUTIONS

Motion was made by McGarvey that Senate Bill No. 69 be taken from the Committee on Judiciary and placed on General Orders. Motion carried.

Motion was made by Higham that Senate Bill No. 175 on General Orders, be passed for the day. Motion carried.

Motion was made by McGarvey that Senate Bill No. 70 be taken from the Committee on Judiciary and placed on General Orders. Motion carried.

Motion was made by Eskildsen that Senate Bill No. 152 on General Orders, be passed for the day. Motion carried.

Cerovski moved that the House accede to the request of the Senate and return to that body House Bill No. 480. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Motion was made by Cerovski that Senate Bill No. 102, on third reading, be passed for the day. Motion carried.

Senate Bill No. 52 was concurred in by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnes, Bashor, Bentz, Bradford, Casey, Curry, Devier, Emmons, Eskildsen, Gilfeather, Glancy, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Howard, Karlberg, Kolar, Langston, Leuthold, Loughran, McNally, McOmber, Nees, Nichols, Page (Granite), Page (Missoula), Parker, Powers, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheldon, Walton, Wood, Mr. Speaker. Total 46.

Noes: Anderson, Angstman, Babcock, Battin, Broeder, Cerovski, Daniels, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Gunderson, Healy, Jardine, Kiff, Kvaalen, McGaffick, McGarvey, Mernin, Morrison, Nelstead, Picard, Powell, Raundal, Strnisha, Tonner, Wayrynen, Wold. Total 31.

Absent and not voting: Barnard, Cavan, Moudree, Sales, Shelden, Woodring, Wright. Total 7.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

Senate Bill No. 145 was concurred in by the following vote:

Ayes: Abel, Barrett, Barnes, Bashor, Casey, Cerovski, Devier, Emmons, Felt, Fjare, Fladager, Gilfeather, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Holtz, Howard, Karlberg, Kvaalen, Langston, Leuthold, Loughran, McNally, McOmber, Mernin, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Raundal, Reeder, Rindy, Shelden, Strnisha, Walton, Wood, Wold, Mr. Speaker. Total 44.

Noes: Aasheim, Anderson, Angstman, Babcock, Battin, Bentz, Bradford, Broeder, Curry, Daniels, Elting, Eskildsen, Gerard, Gleed, Haines (Prairie), Hawks, Higham, Jardine, Kiff, Kolar, McGarvey, Morrison, Moudree, Nelstead, Powers, Regan, Reinecke, Schwinden, Sheldon, Tonner, Wayrynen. Total 31.

Absent and not voting: Bardanouve, Barnard, Cavan, DeWolfe, McGaffick, Nees, Sales, Woodring, Wright. Total 9.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

Senate Bill No. 146 was concurred in by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 79.

Noes: Anderson, Daniels. Total 2.

Absent and not voting: Barnard, Mernin, Woodring. Total 3.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

Senate Bill No. 57 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kvaalen, Langston, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 73.

Noes: Angstman, Barrett, Daniels, Eskildsen, Fladager, Kolar, Moudree, Nelstead. Total 8.

Absent and not voting: Barnard, Hawks, Woodring. Total 3.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

Senate Bill No. 61 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barnes, Bradford, Broeder, Casey, Cavan, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 74.

Noes: Angstman, Babcock, Bashor, Battin, Bentz, Daniels. Total 6.

Absent and not voting: Barrett, Barnard, Cerovski, Woodring. Total 4.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

Senate Bill No. 106 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loughran, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 74.

Noes: Angstman, Daniels, Elting, Jardine. Total 4.

Absent and not voting: Barnard, McGaffick, McGarvey, Parker, Tonner, Woodring. Total 6.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

Senate Bill No. 108 was concurred in by the following vote:

Ayes: Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Devier, Emmons, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kolar, Langston, Leuthold, Loughran, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powers, Reeder, Regan, Reinecke, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 64.

Noes: Aasheim, Angstman, Daniels, Elting, Eskildsen, Felt, Kiff, Kvaalen, Moudree, Powell, Raundal, Sales, Wright. Total 13.

Absent and not voting: Abel, Barnard, DeWolfe, McGaffick, McGarvey, Walton, Woodring. Total 7.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

Senate Bill No. 126 was concurred in by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Devier, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loughran, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 73.

Noes: Angstman, Daniels, Healy. Total 3.

Absent and not voting: Aasheim, Barnard, DeWolfe, McGaffick, McGarvey, Picard, Raundal, Walton. Total 8.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

Senate Bill No. 154 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Barrett, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Devier, Elting, Emmons, Eskildsen, Fjare, Gerard, Gilfeather, Glancy, Gunderson, Hanks, Harball, Hawks, Healy, Holding, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loughran, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 64.

Noes: Angstman, Babcock, Battin, Daniels, Felt, Fladager, Gleed, Haines (Prairie), Haines (Missoula), Higham, Jardine, Page (Missoula), Sales, Schwinden. Total 14.

Absent and not voting: Bardanouve, Barnard, DeWolfe, McGaffick, McGarvey, Walton. Total 6.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

Senate Bill No. 182 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Langston, Leuthold, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: None.

Absent and not voting: Angstman, Barnard, Daniels, Kvaalen, McGaffick, Picard. Total 6.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

Senate Bill No. 186 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 79.

Noes: Elting. Total 1.

Absent and not voting: Barnard, Daniels, McGaffick, Raundal. Total 4.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

Senate Bill No. 193 was concurred in by the following vote:

Ayes: Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Cerovski, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Glancy, Haines (Missoula), Hanks, Harball, Healy, Holding, Holtz, Karlberg, Langston, Leuthold, McGarvey, McNally, McOmber, Mernin, Nelstead, Page (Granite), Page (Missoula), Parker, Picard, Powers, Reeder, Regan, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 46.

Noes: Aasheim, Anderson, Angstman, Babcock, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Gunderson, Haines (Prairie), Hawks, Higham, Jardine, Kiff, Kolar, Kvaalen, Loughran, McGaffick, Morrison, Moudree, Nees, Nichols, Powell, Raundal, Reinecke, Sales, Wright. Total 35.

Absent and not voting: Howard, Walton, Woodring. Total 3.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

Senate Sub. for Senate Bill No. 197 was concurred in by the following vote:

Ayes: Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 73.

Noes: Abel, McGaffick, Moudree, Picard, Raundal. Total 5.

Absent and not voting: Aashiem, Cavan, Daniels, Hawks, Holtz, Parker. Total 6.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

Senate Joint Memorial No. 3 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Casey, Cerovski, Curry, Devier, Elting, Emmons, Eskildsen, Fjare, Fladager, Gilfeather, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Holtz, Howard, Jardine, Karlberg, Kiff, Langston, Loughran, McGarvey, McNally, McOmber, Mernin, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 62.

Noes: Angstman, Broeder, Daniels, Felt, Haines (Prairie), Higham, Kolar, Kvaalen, Leuthold, Morrison, Moudree, Sales, Walton, Wright. Total 14.

Absent and not voting: Barnard, Bradford, Cavan, DeWolfe, Gerard, Hawks, McGaffick, Page (Granite). Total 8.

Excused: Clowes, Corcoran, Gill, Holecek, Jensen, Lees, Loman, Paulsen, Shea, Sheehy. Total 10.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolves itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Daniels of Powell in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 524 do pass.

That consideration of House Bill No. 532 be passed for the day.

That House Bill No. 534 do pass.

That House Bill No. 535 be amended in section 1, subsection b, by striking out in lines 15 and 16 of the printed bill, the words and figures "twelve thousand dollars (\$12,000.00)" and inserting in lieu thereof the words and figures "twelve thousand five hundred and fifty-four dollars (\$12,554.00)";

And as amended, do pass.

That Senate Bill No. 26 be concurred in.

That Senate Bill No. 39 be concurred in.

That Senate Bill No. 40 be concurred in.

That Senate Bill No. 44 be concurred in.

That Senate Bill No. 54 be concurred in.

DANIELS, Chairman.

Motion was made by Daniels for adoption of the Committee Report.

Substitute motion was made by Gerard that House Bill No. 535 be segregated from the Committee of the Whole report.

Gerard requested a roll call vote, with the results thereof to be spread on the Journal in full, and asked for the required seconds. There being a sufficient number of seconds, a roll call vote was taken, and the substitute motion failed to carry by the following vote:

Ayes: Anderson, Angstman, Battin, Bentz, Broeder, Cavan, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Higham, Kiff, Kolar, Kvaalen, Leuthold, McNally, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Reinecke, Sales, Walton, Wright. Total 28.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnes, Bashor, Bradford, Casey, Cerovski, Curry, Daniels, Devier, Emmons, Eskildsen, Gilfeather, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holtz, Howard, Jardine, Karlberg, Loughran, McGarvey, McOmber, Mernin, Morrison, Moudree, Nees, Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 48.

Absent and not voting: Babcock, Barnard, DeWolfe, Hawks, Holding, Holecek, Langston, McGaffick, Page (Granite), Woodring. Total 10.

Excused: Clowes, Corcoran, Gill, Jensen, Lees, Loman, Shea, Sheehy. Total 8.

Motion by Daniels for adoption of the Committee of the Whole report carried.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Joint Memorial No. 12, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 11:30 o'clock a.m., delivered to the governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 277, 174, 156, 263, 70.

JARDINE, Chairman.

I have examined House Bill No. 277, introduced by Barrett and Holtz and find the same to be correct.

HOLTZ.

I have examined House Bill No. 174, introduced by Elting et al and find the same to be correct.

ELTING.

I have examined House Bill No. 70 introduced by Anderson et al and find the same to be correct.

ANDERSON.

I have examined House Bill No. 156 introduced by Fladager and find the same to be correct.

FLADAGER.

I have examined House Bill No. 263, introduced by the Committee on Affairs of Cities and find the same to be correct.

KARLBERG, Vice-Chairman.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 277, 174, 70, 156 and 263.

Cerovski moved that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. B. No. 535, and H. B. Nos. 524 and 534 considered correctly engrossed.

AASHEIM, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, having had under consideration a point of order, respectfully report as follows: That a minority committee report is considered an integral part of every majority committee report whenever a minority report appears. In all instances a majority and minority report must be read together and moved for adoption in two separate and distinct motions. Then either the majority or minority report may be adopted. Whenever a majority committee report is read and adopted

and the minority not having presented a report they cannot, at a later date, make such minority report. The special investigating committee report having been adopted in the morning session, there remains no motion or report upon which to hinge a minority report offered in the afternoon session.

The Rules Committee reports further that if a minority wishes to submit a minority report after the adoption by the House of a majority report, that a motion to reconsider the adoption of the majority report is in order. If motion is carried, the minority report may then be submitted.

CEROVSKI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 105, respectfully report as follows: That Senate Bill No. 105 be amended as follows:

Amend in title of the original bill by striking the period in line 17 and inserting in lieu thereof comma and adding "and providing a saving clause."

Further amend in section 2, line 7, page 2, by striking the figures "89-4942" and "89-4943" and inserting in lieu thereof respectively the figures "84-4942" and "84-4943."

Further amend in section 10 of the original bill by adding a new paragraph after the period following the word "him" in line 32, page 4, which new paragraph will read as follows: "For the purposes of any contract, leases or other obligations, any sum withheld pursuant to this act shall be deemed to have been paid to the non-resident at the time of such withholding."

Further amend the original bill by adding a section 14 as follows: "Section 14. If any portion, section, subsection, paragraph, sentence, clause or phrase of this act is for any reason held to be unconstitutional which decision shall not affect the remainder of the act.";

And as amended, be concurred in.

EMMONS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration Senate Bill No. 112, respectfully report as follows: That Senate Bill No. 112 be concurred in.

McGARVEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 114, respectfully report as follows: That Senate Bill No. 114 be not concurred in.

BARRETT, Chairman.

Report adopted.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Nos. 87, 88, 89, 91, 90, 86, 36, 35.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. Sub. 525 and 533, beg leave to report that the same have this date been returned from the printer correctly printed.

DEVIER, Vice-Chairman.

Mr. Speaker: We, your Committee on Education, having had under

consideration Senate Bill No. 169, respectfully report as follows: That Senate Bill No. 169 be amended as follows:

Amend in section 1 of the original bill in line 30, which is line 11 of the printed bill, by adding a comma after the word "program" and inserting between the words "and" and "an" the word "in";

Amend on line 1, page 2 of the original bill, which is line 12 of the printed bill, by inserting between the words "thereto" and "limited" the following: "an additional tax to produce an amount";

Amend on page 5, line 7 of the original bill, which is page 3, line 29 of the printed bill, by inserting between the words "amount" and "shall" the following: "of the county funds";

And as amended, be concurred in.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 527, respectfully report as follows: That House Bill No. 527 be amended as follows:

Amend the title in line 6 of the original bill after the words "supreme court," and before the words "secretary of state," by inserting the words "state controller,";

Amend the title in lines 7 and 8 of the original bill by striking out the following words "board of examiners";

Amend on page 2 of the original bill by striking out lines 30, 31 and 32 in their entirety;

Amend on page 3 of the original bill by striking out line 1 in its entirety;

Amend by adding after line 32, page 1, of the original bill the following words:

"STATE CONTROLLER
COMMODITY DISTRIBUTION DIVISION

FROM THE GENERAL FUND

Salaries and expenses, five thousand dollars.....\$5,000.00";

And as amended, do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 537, respectfully report as follows: That House Bill No. 537 be amended as follows:

Amend on page 8 of the original bill by striking out lines 8 and 9 in their entirety and inserting in lieu thereof the following:

"Salary of superintendent, six thousand dollars.....\$6,000.00";

Amend on page 14 of the original bill by striking out lines 26 and 27 in their entirety and inserting in lieu thereof the following:

"Salary of superintendent, six thousand dollars.....\$6,000.00";

And as amended, do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker, We, your Committee on Appropriations, having had under consideration House Bill No. 526, respectfully report as follows: That House Bill No. 526 be printed and placed on general orders, without recommendation.

BARNARD, Chairman.

Report adopted.

Mr. Speaker, We, your Committee on Appropriations, having had under consideration Senate Bill No. 1, respectfully report as follows: That Senate Bill No. 1 be concurred in.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Ways and Means, having had under consideration Senate Joint Memorial No. 4, respectfully report as follows: That Senate Joint Memorial No. 4 be not concurred in.

WOOD,
EMMONS,
HOLTZ,
GILFEATHER,
PARKER,
STRNISHA,
HANKS,
GUNDERSON.

Motion was made by Wood for adoption of the Majority Committee report.

Mr. Speaker: We, the Minority of your Committee on Ways and Means, having had under consideration Senate Joint Memorial No. 4, respectfully report as follows: That Senate Joint Memorial No. 4 be concurred in.

SALES,
FELT,
NELSTEAD.

Substitute motion was made by Felt for adoption of the Minority Committee report. Felt requested a Call of the House and a roll call vote, with the results thereof to be spread on the Journal. A sufficient number of seconds arose and the Speaker ordered a Call of the House. Upon completion of roll call, Felt moved that the Call of the House be dispensed with, progress having been shown. Motion carried.

Substitute motion was made by Wood that Senate Joint Memorial No. 4 be rereferred to the Committee on Ways and Means. Cerovski moved the previous question. Felt rose on a point of order that no time whatever had been allowed for debate. The point of order was sustained by the Speaker and each side given fifteen minutes for debate. At the expiration of that time, motion for the previous question was carried.

Gerard rose and requested a roll call vote, the results to be spread on the Journal. The Speaker ruled a roll call vote out of order since the previous question had been called for. Gerard referred the Speaker to House Rule No. 49 with respect to the request for the roll call vote, and the question was referred to the Rules Committee.

Cerovski moved that the House recess, subject to the Call of the Chair. Motion carried. House recessed.

House resumed.

Cerovski reported that the Rules Committee had sustained the point of order raised by Gerard under Rule 49; that a request for a roll call vote is not a motion and is in order at any time before the question has been finally put.

Thereupon, a roll call vote was taken on the Substitute Motion of Wood, and the motion carried by the following vote:

Ayes: Aasheim, Bardanouve, Barrett, Barnard, Bradford, Casey, Cerovski, Clowes, Curry, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holtz, Jardine, Karlberg, Langston, Lees, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Wayrynen, Woodring, Wold, Mr. Speaker. Total 50.

Noes: Anderson, Angstman, Babcock, Bashor, Battin, Bentz, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Leuthold, Morrison, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Reinecke, Sales, Walton, Wright. Total 29.

Paired: Daniels, aye; Cavan, no; Wood, aye; Broeder, no; Barnes, aye; Kvaalen, no.

Absent and not voting: Abel, Elting, Regan. Total 3.

Excused: Corcoran, Gill, Holecek, Jensen, Loman, Shea. Total 6.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 306, respectfully report as follows: That House Bill No. 306 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 483, respectfully report as follows: That House Bill No. 483 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 531, respectfully report as follows: That House Bill No. 531 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 536, respectfully report as follows: That House Bill No. 536 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 538, respectfully report as follows: That House Bill No. 538 do not pass, but that

Substitute House Bill No. 538, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the state department of public welfare of the State of Montana for public assistance, for administrative costs in the state department and in the county departments of public welfare and for all other expenditures coming under the state department of public welfare which they may lawfully incur, for the period beginning with July 1, 1959, and terminating with June 30, 1961.";

Do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, the Majority of your Committee on Social Security, having had under consideration Senate Bill No. 2, respectfully report as follows: That Senate Bill No. 2 be not concurred in.

SHELDEN (Lincoln),
KARLBERG,
POWERS,
TONNER,
HEALY,
McNALLY,
HELDING.

Motion was made by Shelden that the Majority Committee report be adopted.

Mr. Speaker: We, the Minority of your Committee on Social Security, having had under consideration Senate Bill No. 2, respectfully report as follows: That Senate Bill No. 2 be amended as follows:

Amend in section 7, page 12, line 26 of the printed bill, after the word "commission.", by deleting the following: "Commencing January 1, 1941, 'wages,' means all remuneration up to and including three thousand (\$3,000.00) dollars in a calendar year paid for personal services, including commissions and bonuses and the cash value of all remuneration paid in any medium other than cash. The reasonable cash value of all remuneration paid in any medium other than cash shall be estimated and determined in accordance with rules prescribed by the commission." and inserting in lieu thereof the following: "(matter deleted).";

And as amended, be concurred in.

CASEY,
HIGHAM,
KOLAR,

Substitute motion was made by Casey for adoption of the Minority Committee report.

Substitute motion for all motions spending was made by Mernin that further consideration of Senate Bill No. 2 be indefinitely postponed.

Healy moved the previous question. Motion carried. Substitute motion of Mernin carried. Further consideration of Senate Bill No. 2 postponed indefinitely.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 277, 156, 70, 174, 173, 129, 350, 163, 378 and Sub. H. B. 263, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:25 o'clock, p.m., delivered to the governor for his approval.

JARDINE, Chairman.

MESSAGES FROM THE GOVERNOR AND SENATE

February 26, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 146—Introduced by Morrison, Gunderson and Walton.

H. B. No. 17—Introduced by Felt, Gerard, Wood, Howard, Reinecke and Barrett.

H. B. No. 278—Introduced by McGarvey, Sheldon (Flathead) and Tonner.

Very truly yours,

J. HUGO ARONSON, Governor.

February 26, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 517—Introduced by Special Committee on Consolidation of Boards, Bureaus and Departments.

H. B. No. 276—Introduced by Wood.

H. J. M. No. 12—Introduced by Barnard and Gilfeather.

H. B. No. 166—Introduced by Bradford, Babcock, Bentz and Reeder.

Sub. H. B. No. 385—Introduced by Committee on State Boards and Institutions.

H. B. No. 218—Introduced by Jensen and Emmons.

H. B. No. 122—Introduced by McOmber, McGaffick, Broeder, Lees, Wayrynen, Gleed and Daniels.

H. B. No. 203—Introduced by Cavan, McGaffick, Barnard, Curry and Howard.

H. B. No. 136—Introduced by Wood, Barnard, Felt and Howard.

H. B. No. 47—Introduced by Barnard, Wood, Howard and Felt.

Very truly yours,

J. HUGO ARONSON, Governor.

February 26, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were recommended for non-concurrence by the Committee on Judiciary reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 283 by Daniels, Jardine.

House Bill No. 304 by Gilfeather et al.

House Bill No. 71 by McGarvey et al.

House Bill No. 200 by Tonner et al.

House Bill No. 328 by Powers et al.

House Bill No. 186 by Gilfeather, Moudree.

House Bill No. 14 by Bardanouve et al, also on motion further action on House Bill No. 14 was indefinitely postponed.

House Bill No. 388 by Daniels.

House Bill No. 386 by Daniels.

House Bill No. 387 by Daniels.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate,

February 26, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was recommended for indefinite postponement of further action by the Committee of the Whole, report adopted, and the same is herewith returned to the House:

House Bill No. 130.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 25, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House Amendments to Senate Bill No. 62, requested the President to appoint a Conference Committee of three and request that a like House Committee be appointed by the Speaker of the House to confer on Senate Bill No. 62.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Cerovski moved that the Speaker appoint a Conference Committee of three members to meet with a like committee from the Senate to confer on House Amendments to Senate Bill No. 62. Motion carried.

Gerard moved that the House reconsider its action of yesterday in adopting the report of the Special Investigating Committee on the State Highway Department. Motion carried.

Motion was made by Langston that Senate Bill No. 175 be rereferred to the Committee on Livestock and Public Ranges. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times and referred to the Printing Committee:

Substitute House Bill No. 538, introduced by the Committee on Appropriations: A bill for an act entitled: "An act to appropriate money for the state department of public welfare of the State of Montana for public assistance, for administrative costs in the state department and in the county departments of public welfare and for all other expenditures coming under the state department of public welfare which they may lawfully

incur, for the period beginning with July 1, 1959, and terminating with June 30, 1961."

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times at length, were disposed of in the following manner:

House Bill No. 524 was passed by the following vote:

Ayes: Aasheim, Anderson, Angstman, Barnes, Bashor, Battin, Bentz, Casey, Cerovski, Clowes, Curry, Devier, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loughran, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Schwinden, Sheehy, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wright, Mr. Speaker. Total 66.

Noes: Daniels. Total 1.

Absent and not voting: Abel, Babcock, Bardanouve, Barrett, Barnard, Bradford, Broeder, Cavan, DeWolfe, Fjare, Gleed, Haines (Prairie), Hawks, Higham, Kvaalen, McGaffick, McGarvey, Nichols, Page (Granite), Regan, Sales, Walton, Woodring, Wold. Total 24.

Excused: Corcoran, Loman, Shea. Total 3.

House Bill No. 534 was passed by the following vote:

Ayes: Aasheim, Angstman, Barnes, Bashor, Bentz, Casey, Cerovski, Clowes, Curry, Devier, Emmons, Felt, Fladager, Gilfeather, Gill, Glancy, Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, McGaffick, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Rindy, Sheehy, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 58.

Noes: Anderson, Battin, Elting, Eskildsen, Fjare, Gerard, Gunderson, McNally, Reinecke, Schwinden. Total 10.

Absent and not voting: Abel, Babcock, Bardanouve, Barrett, Barnard, Bradford, Broeder, Cavan, Daniels, DeWolfe, Gleed, Haines (Prairie), Hawks, Higham, Kvaalen, Loughran, McGarvey, Nichols, Page (Granite), Regan, Sales, Walton, Wold. Total 23.

Excused: Corcoran, Loman, Shea. Total 3.

House Bill No. 535 was passed by the following vote:

Ayes: Aasheim, Barrett, Barnard, Barnes, Bashor, Casey, Cerovski, Clowes, Curry, Daniels, Devier, Emmons, Eskildsen, Fladager, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Langston, Lees, Loughran, McGaffick, McGarvey, McOmber, Mernin, Morrison, Moudree, Nees, Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Sheehy, Sheldon, Strnisha, Wayrynen, Wood, Woodring, Mr. Speaker. Total 54.

Noes: Anderson, Angstman, Battin, Bentz, Elting, Felt, Fjare, Gerard, Kiff, Kolar, Leuthold, McNally, Nelstead, Page (Missoula), Paulsen, Powell, Reinecke, Tonner, Wright. Total 19.

Absent and not voting: Abel, Babcock, Bardanouve, Bradford, Broeder, Cavan, DeWolfe, Gleed, Haines (Prairie), Hawks, Higham, Kvaalen, Nichols, Page (Granite), Regan, Sales, Walton, Wold. Total 18.

Excused: Corcoran, Loman, Shea. Total 3.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker appointed the following Conference Committee to confer with a like committee from the Senate to consider House Amendments to Senate Bill No. 62: Wayrynen, Gill, Walton.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Friday, February 27, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FIFTY-FOURTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 27, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Abel, Daniels, Gleed and Shea, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-third Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 16, respectfully report as follows: That Senate Bill No. 16 be amended as follows:

Amend line 19 of section 2 of page 2 of the original bill, being line 3 of section 2 of page 2 of the printed bill, by striking the word "shall" and inserting in lieu thereof the word "may."

And as amended, be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 127, 133, 138, 172, 235, 438, 225.

JARDINE, Chairman.

I have examined House Bill No. 127, introduced by me and find the same to be correct.

SHEEHY.

I have examined House Bill No. 133, introduced by me and find the same to be correct.

DANIELS.

I have examined House Bill No. 138, introduced by Babcock et al and find the same to be correct.

BABCOCK.

I have examined House Bill No. 225, introduced by me and find the same to be correct.

BATTIN.

I have examined House Bill No. 235, introduced by Jardine et al and find the same to be correct.

JARDINE.

I have examined House Bill No. 172, introduced by the Committee on Livestock and Public Ranges and find the same to be correct.

LANGSTON, Chairman.

I have examined House Bill No. 438, introduced by Broeder and Strnisha and find the same to be correct.

BROEDER.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 127, 133, 138, 172, 235, 438 and 225.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration Senate Bill No. 68, respectfully report as follows: That Senate Bill No. 68 be concurred in.

STRNISHA, Chairman.

Motion was made by Strnisha for adoption of the Committee report. Substitute motion was made by Tonner that the Committee report be not adopted, but that Senate Bill No. 68 be rereferred to the Committee on State Lands, Forests and Parks for further consideration. Tonner requested a roll call vote, with the results thereof spread on the Journal. There being a sufficient number of seconds, a roll call vote was taken and the substitute motion failed to carry by the following vote:

Ayes: Anderson, Angstman, Babcock, Battin, Bentz, Broeder, Cavan, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Glancy, Haines (Prairie), Harball, Hawks, Holding, Higham, Jensen, Kolar, Kvaalen, Langston, Loman, McNally, Mernin, Nelstead, Nichols, Page (Granite), Rindy, Sales, Shelden, Sheldon, Tonner, Wright. Total 37.

Noes: Bardanouve, Barrett, Barnard, Barnes, Bashor, Cerovski, Clowes, Corcoran, Curry, Devier, Gilfeather, Gill, Gunderson, Haines (Missoula), Hanks, Healy, Holtz, Howard, Karlberg, Kiff, Lees, Leuthold, McGaffick, Morrison, Moudree, Page (Missoula), Paulsen, Picard, Powell, Raundal, Reeder, Regan, Reinecke, Sheehy, Strnisha, Walton, Wood, Woodring, Wold, Mr. Speaker. Total 40.

Absent and not voting: Aasheim, Bradford, Casey, Holecek, Jardine, Loughran, McGarvey, McOmber, Nees, Parker, Powers, Schwinden, Wayrynen. Total 13.

Excused: Abel, Daniels, Glead, Shea. Total 4.

Motion by Strnisha carried. Committee report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under

consideration Senate Bill No. 103, respectfully report as follows: That Senate Bill No. 103 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 104, respectfully report as follows: That Senate Bill No. 104 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 137, respectfully report as follows: That Senate Bill No. 137 be amended as follows:

Amend the title in line 8 of page 1 of the original bill, being line 5 of page 1 of the printed bill, after the words "chapter 30" and before the word "revised" by inserting the words "title 94";

Further amend in line 28 of section 1 of page 1 of the original bill, being line 8 of section 1 of page 1 of the printed bill, after the words "chapter 30" and before the word "revised" by inserting the words "title 94";

And as so amended, be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration Sub. Senate Bill No. 175, respectfully report as follows: That Sub. Senate Bill No. 175 be amended as follows:

Amend the title of the bill on page 1 of the printed bill, line 2, being line 5 of the original bill, by striking the word "shall" and substituting the word "may";

Further amend the title on page 1 of the printed bill, line 9, being line 12 of the original bill, after the word "therefor" by striking all the words up to and including "corporate limits of any city or town" on line 18 of the printed bill, being line 22, page 1 of the original bill;

Further amend the title on page 1 of the printed bill, line 27, being line 1, page 2 of the original bill, after the word "officer" by striking the following: "providing for the seizing and impounding of dogs found straying on lands whereon livestock or poultry is kept by the owner or occupant of such lands or his employees;"

Further amend the title on page 2 of the printed bill, line 9, being line 13, page 2 of the original bill, by striking the words "and prescribing the penalties therefor";

Amend the body of the bill in section 1, line 1 of the printed bill, being line 28, page 2 of the original bill, after the word "unlawful" by inserting the words "where this act applies.";

Amend section 5, line 4 of the printed bill, being line 28, page 4 of the original bill, by inserting a period after officer and striking the rest of the section;

Further amend the body of the bill by striking all of section 6, section 7, section 8, and section 9;

Amend section 10 to read section 6;

Amend section 11 to read section 7;

Amend section 12 to read section 8;

Amend body of the bill by striking all of section 13;

Amend section 14 to read section 9;

Amend section 15 to read section 10;

Amend section 16 to read section 11;

Amend section 17 to read section 12;

Amend section 18 to read section 13, and further amend it on line 1 of the printed bill, being line 28, page 7 of the original bill, by inserting a period after the word "misdemeanor" and striking the rest of the section;

Amend section 19 to read section 14;

Amend section 20 to read section 15;

Amend section 21 to read section 16;

Amend section 22 to read section 17;

And as amended, go out without recommendation and be placed on General Orders.

LANGSTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 334, respectfully report as follows: That House Bill No. 334 do not pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 530, respectfully report as follows: That House Bill No. 530 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 529, respectfully report as follows: That House Bill No. 529 be amended as follows:

Amend on page 1, line 18 of the original bill, after the word "expenses" by striking out the following: "to admin-";

Further amend on page 1, line 19 of the original bill, before the word "for" by striking out the following words: "ister the vocational education act of 1946" and inserting in lieu thereof the following: "for administration of the vocational education act of 1946 (P. L. 79-586) as amended by P. L. 85-864, Title VIII,";

Further amend on page 1, line 29 of the original bill, after the word "expenses" by striking out the following: "to administer";

Further amend on page 1, line 30 of the original bill before the word "for" by striking out the following words: "the national defense education act of 1958" and inserting in lieu thereof the following: "for administration of title III, sections 301-304; title V, sections 501-504 (a) and title X, section 1009, of the national defense education act of 1958, P. L. 85-864,";

And as amended, do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 539, respectfully report as follows: That House Bill No. 539 be amended as follows:

Amend on page 11 of the original bill by striking out line 7 in its entirety and inserting in lieu thereof the following: "from the Tiber reservoir fund";

Further amend on page 26 of the original bill by striking out line 14 in its entirety and inserting in lieu thereof the following: "from the Tiber reservoir fund";

Further amend on page 11, line 16 of the original bill, after the word "year" by striking out the word "eight" and inserting the word "six";

Further amend on page 11, line 17 of the original bill, after the words and "per cent" and before the word "of" by striking out the figure "(8%)" and inserting the figure "(6%)";

Further amend on page 11, line 29 of the original bill, by adding the following sentence after the word "expended.": "A detailed accounting of all administrative expenses shall be furnished to the Legislature within the first ten (10) days of each legislative session by the highway department.";

Further amend on page 26, line 24 of the original bill, before the words "of the total" by striking out the words and figure "eight per cent (8%)" and inserting in lieu thereof the words and figure "six per cent (6%)";

Further amend on page 27, line 7 of the original bill, after the period "." by adding the following sentence: "A detailed accounting of all administrative expenses shall be furnished to the Legislature within the first ten (10) days of each legislative session by the highway department.";

Further amend on page 14 of the original bill by striking out lines 24, 25, 26 and 27 in their entirety and inserting in lieu thereof the following: "Salaries and wages, one hundred eight thousand six hundred twenty dollars\$ 108,620.00;

Operation, thirty thousand six hundred eighty dollars.....\$ 30,680.00";

Further amend on page 29 of the original bill by striking out line 30 in its entirety.

Further amend on page 30 of the original bill by striking out lines 1, 2 and 3 in their entirety and inserting in lieu thereof the following:

"Salaries and wages, one hundred eight thousand six hundred twenty dollars\$108,620.00;

Operation, thirty thousand six hundred eighty dollars\$30,680.00";

Further amend on page 17 of the original bill by striking out lines 18, 19, 20, 21, 22, 23 and 24 in their entirety and inserting in lieu thereof the following:

"Salaries and expenses, one hundred fifty-four thousand twenty-five dollars\$154,025.00";

Further amend on page 18 of the original bill by striking out lines 17, 18, 19, 20, 21 and 22 in their entirety and inserting in lieu thereof the following:

"Salaries and expenses, twenty-five thousand dollars.....\$25,000.00";

Further amend on page 18 of the original bill by striking out lines 25 and 26 in their entirety and inserting in lieu thereof the following:

"Salaries and expenses, five thousand dollars.....\$5,000.00";

Further amend on page 32 of the original bill by striking out lines 22, 23, 24, 25, 26, 27 and 28 in their entirety and inserting in lieu thereof the following:

"Salaries and expenses, one hundred fifty-four thousand twenty-five dollars\$154,025.00";

Further amend on page 33 of the original bill by striking out lines 19, 20, 21, 22, 23 and 24 in their entirety and inserting in lieu thereof the following:

"Salaries and expenses, twenty-five thousand dollars.....\$25,000.00";

Further amend on page 33 of the original bill by striking out lines 27 and 28 in their entirety and inserting in lieu thereof the following:

"Salaries and expenses, seventy thousand dollars.....\$70,000.00";

And as amended, do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 540, respectfully report as follows: That House Bill No. 540 be amended as follows:

Amend page 8 of the original bill by striking out lines 19 and 20 in their entirety and inserting in lieu thereof the following:

"Salaries and expenses, two hundred seventy-three thousand five hundred dollars\$273,500.00";

Further amend on page 25 of the original bill by striking out lines 12 and 13 in their entirety and inserting in lieu thereof the following:

"Salaries and expenses, two hundred seventy-three thousand five hundred dollars\$273,500.00";

Amend page 13 of the original bill by striking out lines 1, 2, 3 and 4 in their entirety and inserting in lieu thereof the following:

"Salaries, other employees, fifty-one thousand seven hundred dollars, \$51,700.00.

Operation, twenty-eight thousand seven hundred thirty dollars, \$28,730.00";

Further amend on page 13 of the original bill by striking out lines 7, 8 and 9 in their entirety and inserting in lieu thereof the following:

"Public employees' retirement system and social security, three thousand eight hundred thirty-five dollars.....\$3,835.00";

Further amend on page 29 of the original bill by striking out lines 13, 14, 15 and 16 in their entirety and inserting in lieu thereof the following:

"Salaries, other employees, fifty-one thousand seven hundred dollars, \$51,700.00;

Operation, twenty-eight thousand seven hundred thirty dollars, \$28,730.00";

Further amend on page 29 of the original bill by striking out lines 18, 19 and 20 in their entirety and inserting in lieu thereof, the following:

"Public employees' retirement system and social security, three thousand eight hundred thirty-five dollars.....\$3,835.00";

Further amend on page 16 of the original bill by adding after line 7 the following words and figure:

"For the completion of appraisals of state property, six thousand seven hundred dollars\$6,700.00";

Further amend on page 17 of the original bill by striking out lines 21 and 22 in their entirety and inserting in lieu thereof the following:

"Salaries, other employees, ten thousand eight hundred dollars, \$10,800.00";

Further amend on page 33 of the original bill by striking out lines 30 and 31 in their entirety and inserting in lieu thereof the following:

"Salaries, other employees, ten thousand eight hundred dollars, \$10,800.00";

And as amended, do pass.

BARNARD, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 26, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 248 by Committee on Highways and Highway Transportation.

House Bill No. 249 by Committee on Highways and Highway Transportation.

House Bill No. 314 by Abel et al.

House Bill No. 157 by Barrett et al.

House Bill No. 91 by Battin et al.

House Bill No. 44 by Barnard et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 26, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 323 by Gilfeather, Shelden (Lincoln).

Sub. House Bill No. 305 by Committee on Liquor Control.

House Bill No. 357 by Healy, Powers.

House Bill No. 450 by McGarvey.

House Bill No. 214 by Gunderson et al.

House Bill No. 108 by Broeder.

House Bill No. 109 by Broeder.

House Bill No. 209 by Wood.

House Bill No. 158 by Wood.

House Bill No. 211 by Holding, Karlberg.

House Bill No. 375 by Committee on State Lands, Forests and Parks.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 26, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 107 by Broeder was this day recommended for non-concurrence by the Committee on Highways and Transportation but that Senate Substitute for House Bill No. 107 be concurred in, report adopted, and the original House Bill No. 107 is herewith returned to the House.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 26, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 504 by Wayrynen et al.

House Bill No. 144 by Haines (Missoula) et al.

House Bill No. 476 by Kiff.

House Bill No. 469 by Cavan, Felt.

House Bill No. 90 by Battin et al.

House Bill No. 231 by Cavan et al.

House Bill No. 430 by Cavan, Felt.

House Bill No. 45 by Barnard et al.

House Bill No. 459 by Gilfeather, Schwinden.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

February 26, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

President this day appointed the following Conference Committee to confer with a like committee from the House on House Amendments to Senate Bill No. 62:

Rieder, Chairman,
LaCombe,
Mackay.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Picard that Senate Bill No. 135, on General Orders, be passed for the day. Motion carried.

Motion was made by Eskildsen that Senate Bill No. 152, on General Orders, be placed below Senate Bill No. 1. Motion carried.

Glancy requested the unanimous consent of the House for introduction of an appropriation bill, under House Rule No. 36. There being no objection, introduction of the bill was permitted.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length, and referred to the Committee on Appropriations:

House Bill No. 541, introduced by Glancy, Sheehy, Gunderson, Felt, Healy, Emmons, Babcock: A bill for an act entitled: "An act to re-appropriate to the State Board of Education all unencumbered balances not to exceed \$144,000.00 remaining to the credit of Eastern Montana College of Education at the end of the fiscal year, June 30, 1959, in fund 271-1, 804-2, 904 and 804-4; appropriating said unencumbered funds for the construction, building and furnishing a cerebral palsy and handicapped children center on the campus of Eastern Montana College of Education; providing for the operation of the center; providing for the letting of contracts."

MOTIONS AND RESOLUTIONS

Motion was made by DeWolfe that Senate Bill No. 34 be taken from the Committee on Highways and Highway Transportation and placed on General Orders. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 26 was concurred in by the following vote:

Ayes: Aasheim, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Holtz, Jensen, Karlberg, Kvaalen, Langston, Lees, Leuthold, Loman, McNally, McOmber, Mernin, Moudree, Nees, Nichols, Page (Granite), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Word, Wright, Mr. Speaker. Total 65.

Noes: Anderson, Angstman, Babcock, Corcoran, Curry, Elting, Fladager, Hawks, Higham, Holecek, Howard, Kolar, Loughran, McGaffick, Morrison, Nelstead, Page (Missoula), Picard, Sales. Total 19.

Absent and not voting: Battin, Casey, Jardine, McGarvey, Tonner, Kiff. Total 6.

Excused: Abel, Daniels, Gleed, Shea. Total 4.

Senate Bill No. 39 was concurred in by the following vote:

Ayes: Aasheim, Anderson, Angstman, Bardanouve, Barrett, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Babcock, Barnard, Battin, Jardine, McGarvey. Total 5.

Excused: Abel, Daniels, Gleed, Shea. Total 4.

Senate Bill No. 40 was concurred in by the following vote:

Ayes: Aasheim, Angstman, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Anderson, Babcock, Barnard, Jardine, McGarvey, Schwinden. Total 6.

Excused: Abel, Daniels, Gleed, Shea. Total 4.

Senate Bill No. 44 was concurred in by the following vote:

Ayes: Aasheim, Bardanouve, Barrett, Barnes, Bradford, Casey, Cerovski, Clowes, Curry, Devier, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Healy, Holding, Holtz, Jensen, Karlberg, McGaffick, McNally, McOmber, Mernin, Moudree, Nees, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Reeder, Regan, Schwinden, Sheehy, Shelden, Sheldon, Tonner, Walton, Wayrynen, Wood, Wold, Mr. Speaker. Total 44.

Noes: Angstman, Babcock, Bashor, Battin, Bentz, Broeder, Cavan, Corcoran, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Higham, Holecek, Howard, Kiff, Kvaalen, Langston, Lees, Leuthold, Loman, Morrison, Nelstead, Nichols, Powell, Raundal, Reinecke, Rindy, Sales, Strnisha, Woodring, Wright. Total 40.

Absent and not voting: Anderson, Barnard, Jardine, Kolar, Loughran, McGarvey. Total 6.

Excused: Abel, Glead, Daniels, Shea. Total 4.

Senate Bill No. 54 was concurred in by the following vote:

Ayes: Aasheim, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 82.

Noes: Angstman, Hanks, Holecek. Total 3.

Absent and not voting: Anderson, Barnard, Bradford, Jardine, McGarvey. Total 5.

Excused: Abel, Daniels, Glead, Shea. Total 4.

Senate Bill No. 102 was concurred in by the following vote:

Ayes: Aasheim, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Anderson, Barnard, Casey, Jardine, McGarvey, Nichols. Total 6.

Excused: Abel, Daniels, Glead, Shea. Total 4.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Langston of Wheatland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 532 do pass.

That House Bill No. 533 do pass.

That Senate Bill No. 76 be concurred in.

That Senate Bill No. 101 be concurred in.

That Senate Bill No. 121 be concurred in.

That Senate Bill No. 151 be concurred in.

That Senate Bill No. 189 be concurred in.

That further consideration of Senate Bill No. 194 be passed for the day.

LANGSTON, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Kvaalen that Senate Bill No. 194 be taken from General Orders and referred to the Committee on Public Health, Morals and Safety. Motion carried.

Motion was made by Daniels that House Bill No. 533 be taken from Engrossing and rereferred to the Committee on Appropriations. Motion carried.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORT OF CONFERENCE COMMITTEE

To: The President of the Senate,
The Speaker of the House:

We, your Conference Committee on Senate Bill No. 62, having had under consideration House Committee on Fish and Game amendments to said bill, respectfully recommend that the Senate accede to House Amendments to Senate Bill No. 62.

For the Senate: RIEDER,
LaCOMBE,
MACKAY.

For the House: WAYRYNEN,
WALTON,
GILL.

Motion was made by Wayrynen for adoption of the Conference Committee report. The Speaker ordered a roll call vote, and the motion of Wayrynen carried by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 79.

Noes: Elting. Total 1.

Absent and not voting: Barrett, Casey, Eskildsen, Gilfeather, Haines (Missoula), Healy, Jardine, Lees, McGaffick, Regan, Sheldon. Total 11.

Excused: Abel, Daniels, Shea. Total 3.

Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 306, beg leave to report that the same has this date been returned from the printer correctly printed.

DEVIER, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration Senate Bill No. 184, respectfully report as follows: That Senate Bill No. 184 be concurred in.

REEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Liquor Control, having had under consideration Senate Bill No. 185, respectfully report as follows: That Senate Bill No. 185 be concurred in.

REEDER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration Senate Bill No. 194, respectfully report as follows: That Senate Bill No. 194 be amended as follows:

Amend section 1, line 18 of the printed bill, being line 8, page 2 of the original bill, by striking the period and inserting in lieu thereof a semicolon and add the following words: "ninety days (90) after written notice by the state fire marshal or his deputy."

And as amended, be concurred in.

MORRISON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 528, respectfully report as follows: That House Bill No. 528 be amended as follows:

Amend on page 13 of the original bill by adding after line 24 the following:

"Capital, repairs and replacements, eight hundred forty-one dollars, \$841.00";

Further amend on page 5 of the original bill by striking out lines 20 and 21 in their entirety and inserting in lieu thereof the following:

"Salaries, thirty-two thousand six hundred dollars.....\$32,600.00";

Further amend on page 5 of the original bill by striking out line 32 in its entirety.

Further amend on page 6 of the original bill by striking out line 1 in its entirety and inserting in lieu thereof the following:

"Salaries and operation, ten thousand dollars.....\$10,000.00";

Further amend on page 6 of the original bill by striking out lines 4 and 5 in their entirety and inserting in lieu thereof the following:

"Salaries, thirty-four thousand two hundred dollars.....\$34,200.00";

Further amend on page 13 of the original bill by striking out lines 31 and 32 in their entirety and inserting in lieu thereof the following:

"Salaries, thirty-two thousand six hundred dollars.....\$32,600.00";

Further amend on page 14 of the original bill by striking out lines 11 and 12 in their entirety and inserting in lieu thereof the following:

"Salaries and operation, ten thousand dollars.....\$10,000.00";

Further amend on page 14 of the original bill by striking out lines 15 and 16 in their entirety and inserting in lieu thereof the following:

"Salaries, thirty-four thousand two hundred dollars.....\$34,200.00";

Further amend on page 6 of the original bill by striking out lines 30, 31 and 32 in their entirety;

Further amend on page 7 of the original bill by striking out lines 1, 2, 3, 4, 5, 6, 7 and 8 in their entirety and inserting in lieu thereof the following:

"Salaries, one hundred thousand dollars.....\$100,000.00;

Capital, repairs and replacements, four thousand one hundred fifty dollars\$4,150.00;

Operation, thirty-three thousand two hundred forty-five dollars, \$33,245.00;

Public employees retirement system and social security, four thousand nine hundred dollars\$4,900.00;

For pleading interstate commerce commission and court expenses, one thousand five hundred dollars\$1,500.00;

For all expenses other than capital, repairs and replacements which may be incurred in connection with and by reason of an application to the commission for an increase in rate or tariff which exceeds the sum of one hundred thousand dollars (\$100,000.00), twenty thousand dollars, \$20,000.00";

Further amend on page 15 of the original bill by striking out lines 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 in their entirety and inserting in lieu thereof the following:

"Salaries, one hundred thousand two hundred fifty dollars, \$100,250.00;

Capital, repairs and replacements, one thousand one hundred fifty dollars\$1,150.00;

Operation, thirty-four thousand seven hundred ninety-five dollars, \$34,795.00;

Public employees retirement system and social security, five thousand dollars\$5,000.00;

For pleading interstate commerce commission and court expenses, one thousand five hundred dollars\$1,500.00";

Further amend on page 9 of the original bill by striking out lines 9 and 10 in their entirety and inserting in lieu thereof the following:

"Operation, twelve thousand nine hundred ninety dollars.....\$12,900.00";

Further amend on page 17 of the original bill by striking out lines 14 and 15 in their entirety and inserting in lieu thereof the following:

"Operation, twelve thousand nine hundred ninety dollars.....\$12,990.00";

Further amend on page 10 of the original bill by striking out line 20 in its entirety and inserting in lieu thereof the following:

"For operation, six thousand four hundred twenty-five dollars, \$6,425.00";

Further amend on page 10 of the original bill by striking out lines 23, 24 and 25 in their entirety and inserting in lieu thereof the following:

"Public employees retirement system and teachers retirement system, one thousand two hundred seventy-five dollars.....\$1,275.00";

Further amend on page 18 of the original bill by striking out line 25 in its entirety and inserting in lieu thereof the following:

"For operation, six thousand four hundred twenty-five dollars, \$6,425.00";

Further amend on page 18 of the original bill by striking out lines 28, 29 and 30 in their entirety and inserting in lieu thereof the following:

"Public employees retirement system and teachers' retirement system, one thousand two hundred seventy-five dollars.....\$1,275.00";

Further amend on page 11 of the original bill by striking out lines 8 and 9 in their entirety and inserting in lieu thereof the following:

"Capital outlay, twelve thousand four hundred dollars.....\$12,400.00";

Further amend on page 19 of the original bill by striking out lines 13 and 14 in their entirety and inserting in lieu thereof the following:

"Capital outlay, twelve thousand four hundred dollars.....\$12,400.00";

And as amended, do pass.

BARNARD, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 27, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 290 by Daniels.

House Bill No. 32 by Wood et al.

House Bill No. 301 by Haines (Prairie), Bentz.

House Bill No. 168 by Committee on Education.

House Bill No. 167 by Committee on Education.

House Bill No. 103 by Battin et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 27, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

Sub. House Bill No. 337 by Committee on Ways and Means.

House Bill No. 518 by Special Committee on Consolidation of Boards, Bureaus and Departments.

House Bill No. 511 by Special Committee on Consolidation of Boards, Bureaus and Departments.

House Bill No. 489 by Devier et al.

House Bill No. 89 by Lees et al.

House Bill No. 27 by Committee on Agriculture.

House Bill No. 113 by Broeder et al.

Sub. House Bill No. 260 by Committee on Irrigation and Water Conservation.

Sub. House Bill No. 228 by Highway and Highway Transportation Committee.

House Bill No. 87 by Holtz et al.

House Bill No. 267 by Curry et al.

House Bill No. 222 by Broeder et al.

House Bill No. 361 by Devier et al.

House Bill No. 362 by Devier et al.

House Bill No. 363 by Devier et al.

House Bill No. 364 by Devier et al.

House Bill No. 365 by Devier et al.

House Bill No. 366 by Devier et al.

House Bill No. 367 by Devier et al.

House Bill No. 368 by Devier et al.

House Bill No. 369 by Devier et al.

House Bill No. 372 by Holtz (by request).

House Bill No. 370 by Battin et al.

House Bill No. 402 by Battin et al.

House Bill No. 329 by Gilfeather et al.

House Bill No. 141 by Strnisha, Wood.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 27, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

Senate this day on motion requested that the House return to the Senate, Substitute House Bill No. 305.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 27, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
Helena, Montana.
Hon. Paul Cannon,
President of the Senate,
Helena, Montana.

Sirs:

I am returning House Bill 413 without my approval for the following reasons:

This bill would amend section 84-6204, Revised Codes of Montana, 1947, which is an important provision of Montana's Net Proceeds Tax Law.

The bill, if approved, would result in the automatic expiration of section 84-6204 at the end of 1959. In this connection, attention is directed to section 2 of the bill which makes its provisions applicable solely to the year 1959 and omits any reference to taxable years subsequent thereto.

Although I agree with the purposes which prompted the Board of Equalization to suggest this measure, I also concur with the board's recommendation that House Bill 413 in its present form be not approved.

For these reasons I am returning House Bill 413 without my approval.

Very truly yours,
J. HUGO ARONSON, Governor.

The Speaker called for a roll call vote on the question of whether or not the Governor's veto of House Bill No. 413 would be sustained. A two-third vote being required to override the veto, it was sustained by the following vote:

Ayes: Anderson, Angstman, Babcock, Barrett, Barnes, Bashor, Battin, Bentz, Cavan, Corcoran, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Powell, Reinecke, Sales, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 42.

Noes: Aasheim, Bardanouve, Bradford, Broeder, Casey, Cerovski, Clowes, Curry, Devier, Emmons, Eskildsen, Gill, Glancy, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jensen, Karlberg, McGaffick, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wold. Total 43.

Absent and not voting: Barnard, Gilfeather, Gunderson, Haines (Missoula), Jardine, Lees. Total 6.

Excused: Abel, Daniels, Shea. Total 3.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 50, 128, 32, 12, 10, 115, 37, 171, 139, 56, 43, 73, 71, 30, 199, 181, 134, 166, 48, 11, 172, 109, 42 and Senate Joint Resolutions Nos. 4 and 5.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill considered correctly engrossed: H. B. No. 532.

PARKER, Chairman.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 127, 133, 438, 138, 235, 225, 172, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:30 o'clock a.m., delivered to the Governor for his approval.

JARDINE, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House accede to the request of the Senate and return to that body Substitute House Bill No. 305. Motion carried.

Motion was made by Cerovski that the House request the Senate to return to the House, Senate Bill No. 102. Motion carried.

Motion was made by Cerovski that the House request the Senate to return to the House, Senate Bill No. 2. Motion carried.

THIRD READING OF HOUSE BILLS

The following bill, having been read three several times at length, was disposed of in the following manner:

House Bill No. 532 was passed by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 81.

Noes: Angstman. Total 1.

Absent and not voting: Cerovski, Gill, Hawks, Jardine, Langston, Lees, Mernin, Page (Granite), Tonner. Total 9.

Excused: Abel, Daniels, Shea. Total 3.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Langston of Wheatland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 112 be concurred in.

That Senate Bill No. 69 be concurred in.

That Senate Bill No. 70 be concurred in.

That Senate Bill No. 136 be concurred in.

That Senate Bill No. 105 be concurred in.

That Senate Bill No. 169 be concurred in.

LANGSTON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bill correctly enrolled: Sub. House Bill No. 228.

JARDINE, Chairman.

I have examined Sub. House Bill No. 228, introduced by the Committee on Highways and Highway Transportation, and find the same to be correct.

WOOD.

The Speaker signed Sub. House Bill No. 228 in open session, the title having first been read.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole, for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Langston of Wheatland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of Senate Bill No. 1 be indefinitely postponed.

LANGSTON, Chairman.

Motion was made by Langston for adoption of the Committee report.

Substitute motion was made by Wood that Senate Bill No. 1 be segregated from the Committee report. Motion carried.

Amended report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

February 27, 1959.

Honorable John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

Sub. H. B. 60—Introduced by Committee on Highways and Highway Transportation.

H. B. No. 277—Introduced by Barrett and Holtz.

H. B. No. 173—Introduced by Walton, Nees, Powell and Langston.

H. B. No. 350—Introduced by Cavan, Battin and Babcock.

H. B. No. 174—Introduced by Elting, Aasheim and Leuthold.

H. B. No. 156—Introduced by Fladager.

H. B. No. 129—Introduced by Emmons, Clowes, Wayrynen, Holding, Gleed, Elting and Kiff.

Very truly yours,
J. HUGO ARONSON, Governor.

February 27, 1959.

Honorable John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 70—Introduced by Anderson, Battin, Angstman, McGarvey, Bradford, Morrison, Daniels and Gerard.

H. B. No. 163—Introduced by Wold and Barrett.

Very truly yours,
J. HUGO ARONSON, Governor.

February 27, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 443 by Jardine et al.

House Bill No. 233 by Felt, Sheehy.

House Bill No. 296 by Gunderson et al.

House Bill No. 145 by Sheehy et al.

House Bill No. 19 by Leuthold et al.

House Bill No. 435 by Anderson et al.

House Bill No. 377 by Eskildsen et al.

House Bill No. 395 by Wood, Bradford.

Substitute House Bill No. 126 by Committee on State Boards and Institutions.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 27, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that in

compliance with your request we are returning the following Senate Bills to the House for further consideration:

Senate Bill No. 2 by Smith.

Senate Bill No. 102 by Mahoney (Garfield), Carney.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House reconsider its previous action in passing on Third Reading Senate Bill No. 102. Motion carried.

Motion was made by Cerovski that Senate Bill No. 102 be placed on General Orders. Motion carried.

Motion was made by Felt that the House reconsider its action of yesterday in indefinitely postponing further consideration of Senate Bill No. 2. Tonner requested a roll call vote on the motion. There being a sufficient number of seconds, roll call vote was taken, and the motion failed to carry as follows:

Ayes: Aasheim, Anderson, Babcock, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, DeWolfe, Felt, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Hingham, Kolar, Kvaalen, Leuthold, Loman, Loughran, Nelstead, Nichols, Page (Missoula), Parker, Raundal, Regan, Sales, Schwinden, Walton, Wright. Total 38.

Noes: Angstman, Bardanouve, Barrett, Bradford, Daniels, Elting, Emmons, Eskildsen, Fjare, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jensen, Kiff, Langston, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Picard, Powell, Powers, Reeder, Reinecke, Rindy, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 44.

Absent and not voting: Barnard, Devier, Gilfeather, Jardine, Karlberg, Lees, McGaffick, Mernin, Page (Granite), Paulsen. Total 10.

Excused: Abel, Shea. Total 2.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length and referred to the Committee on Appropriations:

House Bill No. 542, introduced by Daniels, Jardine, Felt, McGarvey, Wood, Gerard, Anderson, MacDonald. A bill for an act entitled: "An act providing for the establishment of the state public building insurance fund; providing for a supervisor thereof; that all public buildings and contents thereof with certain exceptions are deemed insured by said fund against loss by fire, etc.; providing for valuation of all property deemed insured, and the duties of the state auditor in connection therewith, providing for reporting of losses, how determined and paid; providing it is unlawful to insure any of said buildings with any commercial or private insurer; providing for payment from said fund to fire department relief associations; providing an appropriation of two hundred and fifty thousand dollars (\$250,000.00) for said fund; providing for cancellation of policies and return of unearned premiums; providing penalties, a severability clause, a repealing clause, and an effective date."

Mr. Speaker: We, your Committee on Enrollment, to whom was re-

ferred Substitute House Bill No. 228, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 5:05 p.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 527, beg leave to report that the same has this date been returned from the printer correctly printed.

DEVIER, Vice-Chairman.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 112 was concurred in by the following vote:

Ayes: Aasheim, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Corcoran, Elting, Emmons, Eskildsen, Felt, Gerard, Gill, Glancy, Gunder-son, Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jensen, Kiff, Kvaalen, Langston, McGaffick, McGarvey, McNally, McOmber, Moudree, Nees, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Sheehy, Shel- don, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 56.

Noes: Anderson, Angstman, Babcock, Bashor, Battin, Bentz, Broeder, Cavan, Cerovski, Curry, Daniels, Fjare, Fladager, Glead, Haines (Prairie), Hawks, Higham, Kolar, Leuthold, Loman, Loughran, Morrison, Nelstead, Powell, Regan, Reinecke, Sales. Total 27.

Absent and not voting: Clowes, Devier, DeWolfe, Gilfeather, Jardine, Karlberg, Lees, Mernin, Paulsen. Total 9.

Excused: Abel, Shea. Total 2.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Saturday, February 28, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FIFTY-FIFTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
February 28, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Casey, Kiff, Paulsen and Shea, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-fourth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Oil and Gas, having had under consideration Senate Bill No. 107, respectfully report as follows: That Senate Bill No. 107 be concurred in.

DEVIER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Health, Morals and Safety, having had under consideration Senate Joint Resolution No. 3, respectfully report as follows: That Senate Joint Resolution No. 3 be not concurred in.

MORRISON, Chairman.

Morrison moved that the Committee report be adopted.

Substitute motion was made by Wold that the Committee report not be adopted and that Senate Joint Resolution No. 3 be placed on General Orders. Substitute motion carried.

Mr. Speaker: We, your Committee on Workmen's Compensation, having had under consideration Senate Bill No. 168, respectfully report as follows: That Senate Bill No. 168 be amended as follows:

Amend in line 30, page 1 of the original bill, being line 12 of the printed bill, by striking the words and figures "seven thousand dollars (\$7,000.00)" and inserting in lieu thereof the words and figures "nine thousand dollars (\$9,000.00)";

And as so amended, be concurred in.

McGARVEY, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 541, respectfully report as follows: That House Bill No. 541 do pass.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Public Utilities and State Commissions, having had under consideration Senate Bill No. 113, respectfully report as follows: That Senate Bill No. 113 be amended by striking the Senate Committee of the Whole Amendments, dated 2/16/59, and as amended be concurred in.

TONNER, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 27, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on third reading this day adopted the House Amendments to Senate Bill No. 62, as recommended by the Joint Conference Committee.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 27, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bills were this day recommended for non-concurrence by the Committee on Education reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 192 by McGarvey.

House Bill No. 193 by McGarvey.

House Bill No. 194 by McGarvey.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 27, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion requested that the House return to the Senate House Bill No. 314.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Tonner that the House do not accede to the request of the Senate to return House Bill No. 314. Motion carried.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 69 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 81.

Noes: None.

Absent and not voting: Angstman, Barnard, Bradford, Daniels, Gilfeather, Jardine, Loughran, McGarvey, Moudree. Total 9.

Excused: Casey, Kiff, Paulsen, Shea. Total 4.

Senate Bill No. 70 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Barrett, Barnes, Bashor, Battin, Bentz, Broeder, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Higham, Holtz, Howard, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell,

Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 74.

Noes: Cavan, Eskildsen, Gleed, Holding, Holecek, Woodring. Total 6.

Absent and not voting: Angstman, Bardanouve, Barnard, Bradford, Daniels, Gilfeather, Jardine, Loughran, McGarvey, Moudree. Total 10.

Excused: Casey, Kiff, Paulsen, Shea. Total 4.

Senate Bill No. 76 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 85.

Noes: Sheehy. Total 1.

Absent and not voting: Angstman, Barnard, Daniels, Loughran. Total 4.

Excused: Casey, Kiff, Paulsen, Shea. Total 4.

Senate Bill No. 101 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Angstman, Barnard, Daniels, Loughran, McGarvey. Total 5.

Excused: Casey, Kiff, Paulsen, Shea. Total 4.

Senate Bill No. 105 was concurred in by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loughran, McGaffick, McNally, McOmber, Mernin, Moudree, Nees, Nelstead, Nichols, Page (Granite), Parker, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: Anderson, Battin, Curry, Haines (Prairie), Loman, Morrison, Page (Missoula), Regan, Sales. Total 9.

Absent and not voting: Angstman, Daniels, McGarvey. Total 3.

Excused: Casey, Kiff, Paulsen, Shea. Total 4.

Senate Bill No. 121 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, Elting, Eskildsen, Fjare, Fladager, Gilfeather, Glancy, Gleed, Gunderson, Harball, Hawks, Higham, Jensen, Karlberg, Kvaalen, Langston, Lees, Leuthold, Loman, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Granite), Parker, Picard, Regan, Rindy, Schwinden, Sheehy, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 53.

Noes: Babcock, Battin, Bradford, Broeder, DeWolfe, Emmons, Felt, Gill, Haines (Prairie), Haines (Missoula), Hanks, Healy, Holding, Holecek, Howard, Jardine, Kolar, McGaffick, McNally, Mernin, Moudree, Page (Missoula), Powell, Reeder, Reinecke, Sales, Shelden, Sheldon, Woodring. Total 29.

Absent and not voting: Angstman, Daniels, Gerard, Holtz, Loughran, McGarvey, Powers, Raundal. Total 8.

Excused: Casey, Kiff, Paulsen, Shea. Total 4.

Senate Bill No. 136 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Lees, Leuthold, Loman, McNally, McOmber, Mernin, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheehy, Shelden, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 71.

Noes: Bradford, Hanks, Harball, Holecek, Langston, Morrison, Moudree, Nichols, Powell, Sales, Sheldon, Strnisha, Tonner. Total 13.

Absent and not voting: Angstman, Daniels, Eskildsen, Loughran, McGaffick, McGarvey. Total 6.

Excused: Casey, Kiff, Paulsen, Shea. Total 4.

Senate Bill No. 151 was concurred in by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McNally, McOmber, Mernin, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Mr. Speaker. Total 72.

Noes: Babcock, Bashor, Battin, Bentz, Elting, Holecek, Morrison, Powell, Raundal, Wright. Total 10.

Absent and not voting: Anderson, Angstman, Daniels, Eskildsen, Loughran, McGarvey, Moudree, Woodring. Total 8.

Excused: Casey, Kiff, Paulsen, Shea. Total 4.

Senate Bill No. 169 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McNally, McOmber, Mernin, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Picard, Powell, Powers, Raundal, Regan, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 70.

Noes: Bradford, Eskildsen, Hanks, Holecek, Jardine, Moudree, Nees, Parker, Reeder, Reinecke, Sales, Walton. Total 12.

Absent and not voting: Angstman, Barnard, Daniels, DeWolfe, Loughran, McGaffick, McGarvey, Woodring. Total 8.

Excused: Casey, Kiff, Paulsen, Shea. Total 4.

Senate Bill No. 189 was concurred in by the following vote:

Ayes: Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Broeder, Cerovski, Clowes, Devier, Emmons, Gilfeather, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Healy, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, McGaffick, McGarvey, McNally, McOmber, Mernin, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Reeder, Rindy, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 51.

Noes: Aasheim, Anderson, Babcock, Bradford, Cavan, Corcoran, Curry, Elting, Eskildsen, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Morrison, Moudree, Nees, Nelstead, Raundal, Regan, Reinecke, Sales, Schwinden, Walton, Woodring, Wright. Total 33.

Absent and not voting: Angstman, Battin, Daniels, DeWolfe, Holding, Loughran. Total 6.

Excused: Casey, Kiff, Paulsen, Shea. Total 4.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 198, 94, 299, 519, 523, 45, 369 and 368.

JARDINE, Chairman.

I have examined House Bill No. 368, introduced by Devier et al and find the same to be correct.

DEVIER.

I have examined House Bill No. 369, introduced by Devier et al and find the same to be correct.

DEVIER.

I have examined House Bill No. 45, introduced by Barnard et al and find the same to be correct.

BARNARD.

I have examined House Bill No. 519, introduced by the Special Com-

mittee on Consolidation of Boards, Bureaus and Departments, and find the same to be correct.

REGAN, Chairman.

I have examined House Bill No. 198, introduced by Sheehy, Battin, and find the same to be correct.

SHEEHY.

I have examined House Bill No. 523, introduced by the Committee on Appropriations and find the same to be correct.

BARNARD, Chairman.

I have examined House Bill No. 94, introduced by Haines (Missoula) et al and find the same to be correct.

HAINES (Missoula).

I have examined House Bill No. 299, introduced by Haines (Prairie) et al and find the same to be correct.

HAINES (Prairie).

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 368, 369, 45, 519, 198, 523, 94 and 299.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Parker of Pondera in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 194 be concurred in.

That Senate Bill No. 135 be concurred in.

That Senate Bill No. 1 be amended in the title by striking out in line 24 of the printed bill, the figures "79-1007";

Be amended further in line 1 of section 11 by striking out the figures "79-1007";

And as amended, be concurred in.

That further consideration of Senate Bill No. 152 be indefinitely postponed.

That further consideration of Senate Bill No. 191 be passed temporarily, and that Senate Bill No. 191 be placed on the board after Senate Bill No. 16.

PARKER, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 28, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by

Committee reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 472 by Devier et al.

House Bill No. 471 by Devier et al.

House Bill No. 320 by Daniels et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 28, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motions requested that the House return to the Senate House Bills Nos. 192 and 194.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House accede to the request of the Senate and return to that body House Bill No. 192. Motion carried.

Motion was made by Cerovski that the House accede to the request of the Senate and return to that body House Bill No. 194. Motion carried.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 529, 536, 537 and Sub. 538, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

Mr. Speaker: We, your Committee on Enrollment to whom was referred House Bills Nos. 299, 94, 523, 198, 519, 45, 368 and 369, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:55 a.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 526, 530 and 540, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, a Majority of your Special Investigating Committee on the State Highway Department, respectfully report as follows:

(Motion was made by Cerovski that the Majority Committee report be considered read in full, and that the Journal so show. Motion carried).

This investigation began on the 13th day of January, 1959. The members of the Committee appointed to serve were as follows:

Truman G. Bradford, Chairman.
Magnus Aasheim, Vice-Chairman.
H. R. "Ike" Nees.
John O. Wold, Jr.
Claude Kiff.
Dan H. Corcoran.

As is well known throughout the State of Montana we are now beginning a very extensive and extremely expensive road expansion program. This program from its very inception had been a subject of controversy in various parts of the state. There seemed to be a rather continual stream of suggestions that our state matching funds were not being spent wisely and that the routing program was not being properly conducted. It appeared to the members of this committee that as thorough an investigation of the Highway Department should be conducted as was possible. The idea being that if the Highway Department is failing to use the funds at its disposal wisely in the early stages of a very extensive program, then the best time to determine that would be now, rather than after the damage was done. Our first thoughts regarding the Highway Department and an investigation of that department, were that, because of the scope and size of the department, the complexity of the department, that an investigation of so huge and complex an organization, if properly conducted would call for expert assistance at all times. Many of the problems were of a financial nature that had to be investigated. Interpretation of records and materials pertaining to bookkeeping could only be properly interpreted by qualified certified public accountants. Material pertaining to engineering formulae and engineering problems could only be interpreted by competent and qualified engineers.

We, of course, realized that an investigation of this scope would call for a considerable financial outlay and further realized that anything less than a thorough and comprehensive investigation would be a waste of time and money. This placed the committee in something of a dilemma because even though we are on the verge of a great highway program that would involve the spending of millions of dollars, the state was also in the throes of a much needed economy drive. The problem, of course, was whether or not to fail to conduct an adequate investigation would be a short-sighted move which would result in the Highway Department receiving the benefit of a whitewash without having the benefit of a thorough investigation.

While it did not appear possible to engage the services of a consulting engineering firm, we nevertheless continued with the investigation along financial lines and retained the assistance of a firm of auditors, whose report is also made a part of this report and to which there will be rather extensive reference throughout this report.

YELLOWSTONE VALLEY

As most people know, our highway system, urban, secondary, primary, and interstate, is underwritten with federal government subsidies. Since most of the difficulties pertaining to roads at present pertain to the primary system and to the interstate system, this report will be based largely on facts pertaining to these two systems. The interstate highway system permits federal government subsidies in the amount of 92% and the remaining 8% is paid by the State of Montana. In our primary system we receive federal assistance in the amount of 57% with 43% coming from the State of Montana.

We realized at the beginning of the investigation that the limited time

and money with which we had to work in conducting an investigation of the Montana Highway Department would necessitate that we concentrate our efforts in as few areas of obvious importance as possible, with the hope that if any undesirable tendencies had begun to manifest themselves, they would appear in these areas. Because much work on the interstate system had already begun in the Yellowstone Valley, and, further because there was considerable protest of the routing of the interstate system in the Yellowstone Valley, this appeared to be logical place to start the investigation.

We had been advised that at least two groups had been formed in the Yellowstone Valley who had designated themselves as protective associations, and the purpose of these groups was to prevent the routing of the interstate highway through the bottom lands lying in the valley floor of the Yellowstone Valley.

It was for this reason that the first interviews began with the members of the Yellowstone Valley Protective Association living in the Big Timber area, and later with the members of the Yellowstone Valley Protective Association living in the Billings-Laurel area. The members of the committee were initially impressed with the sincerity and honesty of these farmers from the Yellowstone Valley. They explained that they had long been fighting the interstate route through the valley and the reason for their fighting was because the interstate route is a limited access highway permitting access at only designated points. They further expressed alarm over the fact that were such a highway to cut through their valley farms, it would place them in a position that would make it practically impossible for them to manage their units on a uniform basis. Also, a limited access highway would possibly place them in a position where they would have to go several miles to get to portions of their farm lying directly across the road from them. They pointed out that because of the high water table in the valley it would be most likely that the only way they could reach the irrigated portions of their farms would be by way of an overpass. This, they felt, would be prohibitive and that most of the smaller farms would be deprived of access to the irrigated portion of their farms.

They further pointed out that they would suggest that the Highway Department construct its interstate highway a few miles to the north of the valley floor on the table lands on the north side of the Yellowstone Valley. These lands, they stated, were valued at a rate considerably less than the valley lands, being assessed at a valuation of three to eight dollars an acre as compared to the valley lands at in many cases were assessed as high as eighty dollars an acre. They further pointed out that a route following the table lands to the north of the river would be a shorter route, and that this route had actually been used for many years, having originally begun as a stage coach route. (See attached map).

It appeared to many members of the committee that there should be some consideration given to this problem, because of the peculiar nature of the geography of the State of Montana. First of all, we realize that Montana is a semi-arid state containing many thousands of acres of land suitable only to grazing. The Missouri River system, comprising all of the Yellowstone and the Missouri River and their tributaries contain the valley lands that are necessary for the production of winter feed for the area. These two major valleys are comparatively narrow, but extremely highly productive in many areas. It was believed, but again without the aid of authority that disruption of these valleys and their economy could have an extremely detrimental effect on the economy of the entire state.

We next interviewed Mr. Powers, who is the interstate engineer for the Highway Department and learned that certain formulae were used in determining the routing of the interstate highway, and we were left with the definite impression that this formulae gave minor consideration to the de-

struction of irrigated lands. The primary criterion being to serve the most people the cheapest.

While we sympathized with the Yellowstone Valley farmers and their point of view, because we were without the assistance of qualified highway engineers we could not question the formulae given us by the Highway Department engineer, at least in the early stages of the investigation. As the investigation proceeded, this picture changed.

As previously stated, because a considerable amount of expense has been incurred in the Yellowstone Valley in interstate development, it seemed logical to begin our investigation in this area to learn primarily whether or not the taxpayers money was being wisely spent.

SPRINGDALE HILL

Beginning at Livingston, Montana, and proceeding in an easterly direction there is a strip of highway approximately eleven miles long terminating at a point which we shall refer to hereafter as Springdale Hill.

It was estimated by Mr. Quinnell, at present chief engineer of the Highway Department, that this strip of road when completed will cost approximately \$9,000,000.00. Examination of Mr. Quinnell, chief engineer of the Highway Department, further revealed that he did not know that Congress has passed a law citing 58 Stat. 891, under section 9 of the Flood Control Act which adopted Senate Bill 191 authorizing Mission Dam, which when completed, would completely inundate this \$9,000,000.00 strip of road. This was true, even though nearly a million dollars of this nine million dollars came directly from the gasoline taxes of the State of Montana.

At the termination of this \$9,000,000.00 strip of highway previously mentioned, the Yellowstone Valley narrows to a width of a few hundred yards. At this point a rocky promontory juts into the Yellowstone River. This, according to the available records is the dam site of the Mission Dam, and is also known as "Springdale Hill." At this point, another rather interesting story begins.

The original plans for the interstate highway called for an estimation of three proposed routes around Springdale Hill. One of these routes would have dropped below the rock and followed the river bed. Another would have routed south of the hill through rather difficult terrain, and the other would have followed the present route. In understanding this point, we refer the reader to exhibit "A" of this report.

For the purpose of this discussion we shall refer only to the proposed route along the river and the present route and shall ignore the alternate route to the south of Springdale Hill. The original plans called for \$1,700,000 to be spent in following the river route, and for \$2,500,000.00 to be spent for cutting into the cliff along the present route.

For reasons that are clear only to the Highway Department, the route through the present rocky promontory was chosen and the original route was abandoned. After the excavation began it was discovered that a material different in nature from that originally believed to comprise Springdale Hill existed, and that the hill, rather than being of solid rock, was a shale-like material which had a tendency to slide. The result was that it was necessary to enlarge the excavation considerably to prevent the road from sliding. Another result was to increase the total cost of this project to \$3,600,000, or nearly twice the amount estimated on its river route.

Before proceeding with the situation of Springdale Hill perhaps it would be well to explain the method of bidding and letting contracts in the State of Montana. The contractor does not bid a given sum for an entire project, but rather bids a certain amount for the various jobs that appear necessary to complete the contract. We have set forth in the paragraph following an example of a portion of a typical bid sheet:

Item No.	Quantity	Unit	Description	Unit Price	Amount
1104	875,000	Cu. Yd.	Unclassified Excavation	\$0.96	840,000.00
1161	1,706	Cu. Yd.	Culvert Excavation	3.50	5,971.00
1254	450,000	Mi. Yds.	Overhaul of Unclassified Excavation	0.20	90,000.00
1401	1,750	Units	Rolling Embankment	7.50	13,125.00
1403	121	Units	Rolling Aggregate Surface Courses	8.00	968.00
1406	15	Units	Rolling Seal Coat	9.00	135.00
1502	13,125	M. Gal.	Watering Embankment	0.25	3,281.25
1504	559	M. Gal.	Watering Surface Courses	2.00	1,118.00
1505	12	Hours.	Watering Cover Aggregate	10.00	120.00
2323	23,723	Tons	Selected Borrow Base Course	0.80	18,978.40

You will note that the word "unclassified" appears. This is usually the designation of the type of material that has to be removed. The key to determining the bid is usually the amount bid for the unclassified material. For instance, if the contractor anticipates that he will be digging in sand, he will bid low, perhaps in the neighborhood of 40¢ per cubic yard. Again, this figure will be revealed in the unclassified section. The type of material which is anticipated is determined by the state engineer on the job.

As a job proceeds occasionally it appears that a different type of material is encountered than was anticipated. This can result in a small or great amount of material having to be removed. Highway Department specifications require that if the amount of material encountered is 25% greater than originally estimated, or if 25% less than anticipated, then the contract must be renegotiated.

An extreme example of what has already been stated might reasonably set forth as follows: Let us assume that a contract was let to build a road through an area that was originally designated by the engineer as "rocky" formation. Likewise assume further that if the road is going through a cut the walls of the cut must be slanted so that they will not slide into the road. If the designation is "rock," then the side walls could be quite steep as indicated in exhibit "B" of this report.

However, if after the cut is opened and it appears that the material rather than being rock is sandy material which slides easily, it would follow that the sides would have to extend further back to prevent sliding, more like the example in exhibit "C."

Merely by comparing the two diagrams it is obvious that when sand is encountered instead of rock that a greater amount of material must be removed. The reason being of course that the slope cannot be as steep as it would if rock were encountered rather than sand. The attached diagram indicates the difference in the amount of material that would be removed for a contract of a road through a cut if the road is cut through rock as compared with sand formation. (See exhibit "D").

Now it is obvious that when a formation of sand is struck the amount of work is increased. If this increase is in excess of 25% a new work order is required. The contract must then be renegotiated with the contractor under existing specifications. Now, if no changes are made in the bids, for instance let us assume that the price of the unclassified material remains the same in the supplement contract and that all other bid figures remain the same, then it is obvious that the contractor receives the benefit of a situation where he has based his bid prices on the removal of rock and is being paid to remove sand. Obviously this situation is most beneficial to any contractor that may be involved.

At Springdale Hill a situation occurred somewhat similar to the one that has just been explained, the only difference of course being that the material was not as easily removed as sand. In that case, it was believed by the state engineer that the hill was solid rock, and as the job progressed, it was discovered that the hill was of a shale-like formation which had a tendency to slide. The result was that the change in the cut had to be made from something like set forth in the example marked "A," to a situation more like example "B." Obviously a much greater amount of material

had to be removed under those circumstances than was originally anticipated. As a matter of fact, the amount was almost 60% over the original, making an increase in the amount of the contract of \$1,100,000.00. The result was that as a practical matter, this contractor received a \$1,100,000.00 contract without having to bid on it. The record further reveals that at the renegotiations no changes were made in the price of removing the unclassified material. This is true, even though the material had such great siliding propensity as to increase the amount of the job by 60%. With this thought in mind, we are obliged to agree with Mr. Quinnell's observation that this particular contractor is indeed a fortunate man.

OTHER CHANGE ORDERS

In considering the change order at Springdale Hill a comparison was made with other change orders in the State of Montana. The largest change order, or work order on a completed job located during this investigation was for \$198,411.25. (At this point it should be noted that Springdale Hill is not a completed job). The principal item of which was for 175,000 cubic yards of unclassified excavation at the original bid price of \$0.92. The reason for the increase was explained as follows: "The original design utilized a swell factor based on an estimated abundance of rock. During the construction, the amount of rock encountered was negligible. In other words, the original bid was based on rock and the contract was completed in a less difficult type of material. Again the contractor was "most fortunate" and again the State of Montana did not demand a renegotiation of the principal material, that being the unclassified material originally thought to be rock. Mr. Quinnell, during his testimony indicated when a situation developed wherein the material encountered was of a less difficult material than it was originally believed to be at the time of the letting that it is not his policy to change the figures at the time of renegotiation. We find this difficult to believe in view of the fact that in one contract where a more difficult type of material was encountered and a change order was issued, the amount of the unclassified was increased from \$0.47 to \$0.80 per cubic yard.

Another interesting aspect of the Springdale Hill project lies in the fact that the lower river route was not taken. It is conceded that some negotiations would have to be made with the Northern Pacific Railway because the following of the lower route would have required the moving of the Northern Pacific Railway from its present location. However, the testimony of Mr. Horace Williams, present program engineer and for many years chief plans engineer with the Highway Department, revealed that the Northern Pacific in the past has always been reasonable in its dealings with the Highway Department. So, we can assume that it should have been no serious problem in this respect. However, for some reason best understood by the Highway Department, the present route was taken without even benefit of a prior investigation of the material involved in the hill. The result has been to increase the cost of circumventing Springdale Hill by 1.8 million dollars over the estimated cost of the lower route. This is the amount which Mr. Williams somewhat facetiously remarked could have permitted the installation and gold-plating of the lower route.

The following points would seem to be of significance in connection with the Springdale Hill project. (1) Failure to study the survey of the Springdale Hill resulted in a million dollar miscalculation of the cost of a road through the hill.

(2) The fact that the chief engineer of the Highway Department who has been with the Highway Department for over thirty years didn't even know about the proposed dam site at Springdale Hill and the fact that an impoundment had been authorized by Congress which would flood the \$9,000,000.00 road from Springdale Hill to Livingston. This is true even though Montana would be obliged to pay approximately 8% of this sum, or nearly a million dollars.

(3) Million dollar contracts in themselves are seldom encountered any place except on the interstate highway system. We are now entering into an era wherein such may perhaps be more common place. However, steps should be taken to avoid a situation where million dollar miscalculations by our state engineers resulting in a given contractor falling heir to a million dollar change order, which is in effect the equivalent of getting a million dollar contract without the necessity of bidding for it. We assume that there is nothing illegal or immoral about this particular situation, however, this procedure should be tightened immediately because if after this extensive and extremely expensive multi-million dollar program of building highways through Montana is completed and it appears that a certain contractor or certain contractors were favored with million dollar change orders consistently, it would be a well-warranted concern by the citizens of Montana that would come too late. The time to check this is now and the most obvious way to check it is by insisting on more accurate engineering ground work be layed before a highway contract is let.

CONCLUSION

Many of the difficulties at Springdale Hill such as the failure to properly investigate the federal bureaus who may be building dams in the area, the lack of coordination between federal and state officials and the two million dollar miscalculation in the costs of building the road through Springdale Hill, are all a product of an almost frantic effort to build roads first and consider the problems later. This may be motivated by a desire to acquire federal funds and use them whenever available.

At any rate, Springdale Hill and the errors and questions raised is a classic example of what can happen all over the state if the program of road building continues as it has up to date. We must remember that Springdale Hill is one of the first major projects of the interstate highway system in the State of Montana. The building has only begun and we are already off to a very bad and very expensive start.

THE YELLOWSTONE FARM LANDS

If we assume that the loss of irrigated lands due to the impoundment of Mission Dam is questionable perhaps one can find some solace in the fact that this loss will be compensated due to the fact that Mission Dam is a multi-purpose dam designed to produce irrigation for thousands of now unirrigated acres in the State of Montana. Undoubtedly these acres would replace those lost due to the impoundment.

However, in the valley below the dam site this is not the case and the loss of an irrigated acre here is a permanent loss which cannot be replaced by irrigated land elsewhere. It is from there to Billings that we find that most of the farmers and ranchers who believe that a limited access highway through their valley would destroy their farms, their economy, and completely disrupt their lives.

Their arguments are as follows: They point out that the Yellowstone Valley is a comparatively narrow valley composed of small farms by our Montana standards. These farms, however, are highly productive and furnish the winter feed for the cattle and sheep and other livestock whose summer range lies in the adjoining hills. We have briefly mentioned these farmers have recommended that the proposed interstate highway go immediately north of the Yellowstone Highway along the old convict grade road between Livingston and Big Timber and along the old stage coach trail from Big Timber to Billings. This request of course has been refused and these people much to the concern of many of us, believe that this request has been refused because of pressure from Billings. The Highway Department denies that pressure from Billings of a political nature or otherwise was the reason that the river route was chosen rather than routing the road to the north along the bench lands.

BILLINGS WILL BE SERVED WHETHER THE INTERSTATE
FOLLOWS THE VALLEY OR THE BENCHLAND
NORTH OF THE VALLEY

However, if the pressure is coming from Billings that resulted in the highway being routed in the Yellowstone Valley it is due to a misunderstanding that seems prevalent in Billings that if the interstate highway does not go through the valley it will be routed north either through Grass Range or further, through Havre. This is simply not the case. The present law pertaining to interstate highways requires that the interstate highway must hit close to Billings, Butte and Great Falls, Bozeman, and Helena. However, it is in the discretion of the Montana Highway Commission as to whether it will go down the valley from Livingston or along the table lands about five to ten miles north of the river route. In any event the interstate highway will have to touch Billings regardless of whether it goes north of the Yellowstone as suggested by the farmers and ranchers in the valley or whether it follows the valley floor. If it follows the valley floor, it will come out south of Billings near the sugar factory. If it follows the table lands to the north, it will come out north of Billings between the airport and the rims or else beneath the rims. In other words the only question so far as Billings is concerned in this respect is that if the interstate highway follows the table lands to the north of the river, the city will be served by the interstate from North 27th Street or if it follows the valley lands, Billings will be served from South 27th Street near the sugar factory. So, if it is pressure that decides, and that pressure comes from Billings, there should be a very easy area compromise between the farmers of Yellowstone Valley and the citizens of Billings. However, we will later point out what might be an embarrassing situation that could have some bearing on this picture despite its apparent simplicity.

After hearing the problem of the farmers of Yellowstone Valley, all were impressed with their sincerity, many members of the committee knew them as a sincere and conscientious people of respected character and judgment.

We could not help but be impressed with the logic of their argument that the route north of the river would be cheaper due to its length, the fact that it traverses unirrigated land of a much lower value, the fact that the high dry route would be free of drainage problems and also because of its light population it would effect the lives of fewer people. Also the enclosed map shows that their proposed route is almost a straight line from Livingston to Billings.

On the other hand, the highway engineers spoke glibly of formulae, etc., that indicated that valley farmers were wrong and because none of the valley farmers were highway engineers no substantial question could be raised on that point until we discovered in the engineering department of the Highway Department a public spirited and sincere gentleman who when placed under oath cut through the red tape that had confused the investigation from its beginning.

“THE TESTIMONY OF HORACE WILLIAMS”

Horace Williams has been with the Highway Department for thirty-three years, is a former road plans engineer and is at present program engineer for the Montana Highway Department. He has participated as an engineer in the construction of 80% of our highways and has a thorough knowledge and understanding of Montana construction problems.

In his statement he pointed out that the route proposed by the Yellowstone Valley farmers immediately north of the Yellowstone River would be less expensive for the following reasons, among others:

It is a shorter route travelling the high-dry table lands where drainage would be a minimum problem. One of the great expenses of building high-

ways is the cost of constructing overpasses and other major structures such as bridges, etc. He pointed out that by proceeding down the river route as proposed it would involve the building of as many new structures between Laurel and Billings as would be necessary in following the northerly route from Billings to Livingston along the table lands north of the river.

Mr. Williams also pointed out that the entire interstate program was hastily considered, due to the fact that in a ninety day period the entire program was mapped and estimated, as a result of pressure from the commission and the Bureau of Public Roads.

Mr. Williams further suggested that the present Highway 10, which follows the Yellowstone Valley could be used as a frontage road on the interstate system and thereby continue to serve the people of the valley as it does at present, leaving the main line of the interstate free to handle interstate and long distance traffic.

Mr. Williams pointed out that this time was totally inadequate for the staff involved and for that reason the entire program should be reconsidered and if necessary, a staff of consulting engineers should be called in. Mr. Williams further estimated that \$8,000,000.00 could be saved by routing the road north of the river rather than following the valley floor. Strangely enough, Mr. Quinnell admitted under oath that he didn't know which route would be cheaper.

Mr. Williams further pointed out that if the north route were used it would save building two bridges across the Yellowstone River and the re-routing of the many utility lines, both gas and electric, between Billings and Laurel.

"THE BILLINGS OVERPASS"

In connection with the interstate building program a rather interesting situation has developed in Billings, Montana. However, before this can be adequately discussed a brief statement regarding our financial program in this state may be helpful. As previously stated for our primary highways the State of Montana furnishes 43% of the cost and the federal government furnishes 57%. On our interstate highways the federal government furnishes 92% and the state furnishes 8%.

Further, our state is divided into twelve financial districts, each of which is entitled to a limited amount of money per year. For instance, the district in which Billings is located is entitled to a limited sum of money to use for matching with federal funds in a given year. With these facts in mind, let us proceed with the following situation. In the City of Billings and between the City of Billings and Laurel we have an admittedly bad situation. There is a narrow, dangerous two-lane highway to Laurel that long ago should have been a four-lane highway if it was to continue in use. In hope that the interstate highway would pass through the Yellowstone Valley south of Billings and near the present sugar factory, an application was made to make a proposed overpass a part of the spur to the interstate highway passing 1.5 miles to the south of Billings. This overpass would replace the dangerous underpass now in existence.

Two attempts were made to put this overpass on the interstate system as a spur thus qualifying it for 92% federal assistance, but so far the Bureau of Public Roads has refused to grant this. This is true, even though Butte and Great Falls were granted spurs. Notwithstanding these refusals, a million dollar overpass was constructed on primary funds at the rate of 43% state money and 57% federal money. This means that 43% of a million dollar overpass has been financed by state matching funds, a sum of money which will undoubtedly weigh heavily against the Billings financial district and mean that if we must proceed with this type of financing, it will be a long time before that project will be completed.

The only hope for reducing this drain on that financial district and on our state matching funds lies in getting this structure approved as a spur in the interstate highway system, thus making the structure and accompanying rights of way available for matching funds at the rate of 92% federal funds and 8% state funds.

If the interstate highway is routed to the north side of Billings rather than south of Billings, by way of the sugar factory, the chances of financing this structure with interstate funds will be gone forever, due to the fact that if Billings is to be granted an interstate spur, it would naturally have to be granted on the north of the town rather than the south side under the facts we have just set forth.

This could be especially embarrassing if the interstate's northerly route connects Laurel and Billings, thus completely obviating the necessity of the present Billings-Laurel highway, together with its expensive overpasses, underpasses, and right-of-way problems.

At any rate, it now should become more apparent why whoever is responsible for the present overpass will fight for valley routing and will be somewhat embarrassed to say the least if the interstate should be routed to the north. The present two refusals of the Bureau of Public Roads to make the present overpass a spur to the interstate might be an indication that they did not have a high regard for the southerly route through Billings.

Perhaps the farmers and ranchers of the Yellowstone should keep this in mind in presenting their case. Perhaps, too, those who spend their gas money should remember this program particularly if the interstate is routed to the north of Billings, through Laurel and thence into the bench lands to the north of Yellowstone as present alternate routes, the one through the valley and the one north of the valley are attached to this opinion and will be helpful to anyone interested in this particular problem. In this respect it is well to note that the valley farmers and ranchers recommend that the road go higher than the alternate northerly route laid out by the State of Montana highway engineers by about two miles and thus avoid the considerable amount of irrigated land. They contend that the alternate as set forth by the Highway Department was deliberately routed lower than necessary, particularly between the Laurel-Billings area and Livingston to show that the northerly route would cut through as much irrigated land as the southerly route.

Be that as it may, let us keep in mind that there is more than one way to get from Billings to Laurel, one route which would circumvent Billings in northerly fashion and the other which would follow the present route. In the event that the northerly route should be taken someone in Billings and someone on the commission would be very embarrassed.

At any rate, unless the present Billings overpass receives approval as a spur, the citizens of Billings will be a long time in enjoying its convenience. This financial district can stand very few million dollar structures built with 43% matching funds. This is particularly true when one realizes that on this particular project much of the right-of-way approaching the present overpass is still unpurchased. Thus it appears that in Billings we have a million dollar structure with no place to go, and which may, if the interstate is routed to the north of Billings to Laurel, never be needed.

CRITICISM

This is another typical example of hasty, ill-considered spending of state matching funds. Before this expensive million dollar project was undertaken a final determination should have been made as to whether or not the project could qualify for 92% federal assistance. So far, \$400,000

in state matching funds have been gambled on that project with no assurance that it will ever qualify for interstate assistance.

RIGHT-OF-WAY ACQUISITION

One of the most alarming tendencies manifest by the present Highway Department is its present right-of-way purchasing program.

Until as late as last May, it was a firm policy of the Highway Department which was seldom violated, to acquire right-of-way before letting bids. The reason for this policy is obvious, because once the bids are let, everyone knows where the road must go, and those owning land in the area affected by the bid automatically raise the value of their lands accordingly. Thus, right-of-way purchasers are faced with a hopeless task. On one side they have land owners with exaggerated concepts of the value of their lands, and on the other, contractors pushing to get the land acquisition over so they can proceed with their jobs. The result must be an inevitable one of confusion in the right-of-way purchasing program and unrealistic payments for right-of-way acquisition.

For example, the policy of acquiring a right-of-way before contracts were let changed so radically that the policy became one of letting bids before acquiring right-of-way and in many cases an entire bid letting consisting of as many as fourteen contracts would show better than 50% of the contracts were let without acquisition of right-of-way.

The following are examples of this alarming practice:

1. In the letting of March 27, 1958, of 11 contracts let, one was subject to right-of-way clearance.
2. In the letting of April 24, 1958, of 7 contracts let, no projects were let subject to right-of-way clearance.
3. In the letting of May 22, 1958, of 10 contract let, no projects were let subject to right-of-way clearance.
4. In the letting of June 25, 1958, of 12 contracts let, three were subject to right-of-way clearance.
5. In the letting of July 22, 1958, of 12 contracts let, three were subject to right-of-way clearance.
6. In the letting of July 23, 1958, of 13 contracts let, seven were subject to right-of-way clearance.
7. In the letting of August 27, 1958, of 17 contracts let, three were subject to right-of-way clearance.
8. In the letting of September 12, 1958, of 12 contracts let, seven were subject to right-of-way clearance.
9. In the letting of September 24, 1958, of 15 contracts let, all 15 were subject to right-of-way clearance.
10. In the letting of October 22, 1958, of 14 contracts let, six were subject to right-of-way clearance.
11. In the letting of November 6, 1958, of 3 contracts let, two were subject to right-of-way clearance.
12. In the letting of November 19, 1958, of 8 contracts let, one was awarded subject to right-of-way clearance.

Another practical example of the difficulties that must inevitably result as a result of this policy is to create the need for many additional work orders. The reason for this can best be shown by the following example:

Let us assume that the highway is to be routed through a particular farm. If the bids are let before the right-of-way is acquired the contractor cannot possibly know what requirements the farmers or ranchers are going to demand of the Highway Department. For instance, there is no way of knowing how many approaches will be demanded. How many underpasses will be demanded. How many culverts may become necessary. The result of this could be a complete change in the grade of the highway, once the demands are made and satisfied. This results in unneeded confusion, not only so far as the right-of-way department is concerned, but very likely additional expense to the people of Montana.

Mr. Quinnell, by the way, since the institution of these hearings, has promised to tighten his program in this respect.

FURTHER EXAMPLES OF POOR PLANNING AND INCONSISTENCIES

(A) HELENA, MONTANA:

An excavation took place at Park Street and Main Street in the City of Helena in which a considerable amount of fill dirt was scattered in various places around Helena. At present plans are under way to widen Lyndale Avenue, which is a few blocks from Park Street and Main Street. This widening will call for fill dirt from Lyndale Avenue. However, in spite of these plans the excavation from Park and Main Streets was distributed to various parts of Helena and now the widening of Lyndale Avenue must be accomplished by hauling fill dirt in from a distant point at a much greater expense.

(B) LIVINGSTON:

One of the most important criteria mentioned by Powers, the highway engineer, in considering routing was the service to the most people. Yet on the present proposed highway on Gardiner to Livingston the road is being routed away from the heavily populated areas and through a thinly populated area much to the concern of many citizens in the Livingston area. Apparently, the criteria here is to get a straighter road. The following is an interesting population comparison so far as these two roads are concerned:

Description	Present	Proposed Road
Farms	102	48
Active Schools	5	1
Non-Farm Dwellings	9	0
Seasonal Dwellings	9	3
Churches	2	1
Camp Grounds	5	1
Ranger Stations	3	1
Post Offices	1	1
Fish Hatchery	1	0
Mines	0	2
Sawmill	0	1
Businesses	4	2
TOTAL	141	61

(C) CULBERTSON:

The following road design has been criticized by citizens in the Culbertson area as poor design and dangerous. We will leave it to the public to decide whether or not the following situation represents ideal planning of highway intersections. Note further that where U. S. Highway No. 2 intersects Highway 16 the one opportunity to straighten this road and avoid some of the dangerous aspects was avoided even though the only obstacle in the way was a port of entry station which belongs to the

State Highway Department and which by the way has been abandoned. Mr. Quinnell has agreed that this is not good design.

(D) ROY BRIDGE:

A portion of the approach to the Roy Bridge across the Missouri has sunk about 12 feet since the first of November. Another portion of the same road has continued to slide at a considerable additional expense to the State of Montana. Some engineers suggest that proper core drilling in exploration in advance of this project would have saved the State of Montana from becoming involved in this situation.

Further it is estimated that a million dollars will be spent in surfacing the highway approaching the Roy Bridge. We also sincerely hope that every attempt will be made to utilize federal lands funds to the fullest extent, particularly where the highway crosses the Fort Peck game range. In this area consisting of eleven miles, the State of Montana is entitled to 100% federal funds if such are available. At present \$2,000,000.00 in this type of funds is available to the eleven western states.

HIGHWAY BUILDING

A \$790,000.00 addition to the Highway building has been built and paid for in cash with highway funds. Apparently no attempt was made to spread the payment of this building over a period of years. The result has been that the State of Montana is deprived of nearly a million dollars in matching funds which if used on the interstate financing program would have matched nearly ten million dollars worth of interstate highway.

At a time when we are apparently very much in need of matching funds it seems very poor planning to have paid out the entire sum of \$790,000.00. If we assume that the building was necessary, the least that should have been accomplished would have been to have spread the payment over a period of ten years, thereby leaving thousands of dollars available for matching funds.

EMPLOYEES

The purpose of this opinion is not to berate or chastise the many loyal employees of the Highway Department. Ranking from engineers to laborers, the committee recognizes that most of them are competent and conscientious people whose motives, conduct and ability are beyond reproach. We believe, however, that the entire staff from the chief engineer on down are the victims of a hurry-up program which if not corrected will result in a loss of millions of dollars not only to the State of Montana but to the federal government as well. Work done in an atmosphere of haste usually results in poor planning and questionable results such as are now beginning to manifest themselves in the interstate program.

HIGHWAY COMMISSION

Our present Highway Commission is appointed by the Governor and is not directly responsible to the people of the State of Montana. There are no basic qualifications. Any one who happens to be a friend of the Governor could conceivably be appointed to serve on the commission. Further, this has become a 50 million dollar a year business and may increase to an even greater amount. Our present commission is a part-time commission, serving without pay. For this reason, we believe that in view of the responsibilities now placed upon the Highway Commission that a full-time elective commission should replace the present appointed, part-time commission.

FEDERAL FUNDS

Most of the frantic pressure comes from the attempt to match federal funds. Before we can continue with our present program let us consider

the fact that no matter what happens, the federal government intends to have an interstate highway. If we can't raise the matching funds this year, the same funds will be available next year under our present existing laws. If we take our time and plan properly we will have better highways and they will be less expensive.

GENERAL INFORMATION

Some interesting observations that are set forth in more detail in the auditors' report, which is by this reference expressly made a part of this report as follows:

Gravel Supply

(1) Montana at present has enough gravel to last about five years at present rate of consumption. The total value of stockpiled gravel as of the 1st of July, 1958, was \$2,605,115.93.

Inventories

(2) Inventory revealed that the total inventories of the Helena shop were \$42,031.49. Of this, \$10,622.88 was for spare parts to equipment which was purchased as far back as 1937. Tire and tube inventory showed inventory items purchased in 1951.

Gasoline Storage Facilities

At the time of the audit there was a gasoline inventory in the state of \$776.09. However, in spite of this situation the Highway Department maintains gasoline storage facilities which are carried as an asset of \$101,507.08.

Photographic Equipment

In the year 1953 and subsequent years, photographic equipment was purchased for use in surveying highway routes. The equipment apparently was purchased in advance of the issuance of purchase orders, contrary to present required procedures.

Air Planes

During the past two years the State of Montana Highway Department has purchased three air planes. While there is considerable question in the minds of this committee as to whether or not the Highway Department needs air planes at all, it being quite generally true that private planes are available on a rental basis when needed, an interesting note in this respect is the purchase of them on a lease-purchase basis. One of the planes has shown a charge of 16% interest against it. On another of the planes, interest is charged at the rate of 19%, and on the third plane interest is being charged at the rate of 12%. It hardly seems good business for an organization carrying a cash balance in excess of five million dollars to pay such interest rates.

Mobile Equipment

Again, we find a situation where a considerable amount of equipment was delivered but not vouchered until several months later. This practice defeats accountability and should not be sanctioned by the Highway Commission.

Purchases

It appears that many purchases of equipment are made from the same firms, giving the committee the impression that some firms have an exclusive state agency. The result has been that both equipment and parts have been bought without proper competitive bidding. The first because of specifications and the second because there was no other source of supply.

Equipment

At least two pieces of equipment purchased from one of the firms previously referred to, cost nearly \$22,000.00. These pieces of equipment were located in the same district and operated only 76 hours during the entire fiscal year. It hardly seems that such usage would justify the cost and indicates the possibility of poor planning.

Receipts and Expenditures

The auditors pointed out that except for the work on road contracts all recording is on a receipt and expenditure basis; that is the money is spent without prior encumbering or obligating. In the instance of contracts the money is set aside as the contracts are let. The opinion is that this method is an antiquated method of recording and places the commission at a considerable disadvantage.

Appraisals

One of the most expensive phases of highway building involves the purchasing of rights-of-way. In reaching the final decision to pay a given amount, considerable weight is placed on the appraisals that are made on each property. In many instances independent appraisers have been called in to appraise property before its purchase and the result has been, so far as observers are concerned, to present a rather confused picture. First of all it appears that there is no standard, fixed method of appraisal, to which appraisers must abide. Secondly, there seems to be no definite relationship between the value of the property involved and the value of the appraisal. For instance, after observing the appraisal method for a considerable length of time the auditors came to the conclusion that the appraisers have been quite generous with the taxpayers money. In one case alone there was a difference in evaluation between two appraisers in the sum of \$143,000.00. A recapitulation of the figures involved show that the lower figure was more nearly realistic, although the actual figure granted was much nearer the high estimate. Many times the appraisers fail to take into consideration insurance coverage and property taxes paid by the property owners. For instance a property that was appraised at an average value of \$220,000.00 is assessed for only \$26,000.00. Property for which the state paid nearly \$150,000.00, for about 70% of the land paid property taxes of only \$1,700.00 on the entire piece of property. Insurance coverage on improvements appraised at about \$180,000.00 was for only \$85,000.00. Another piece appraised at about \$50,000.00 average paid property taxes of only \$137.00. It has been suggested by the auditors that one of the methods used by appraisers is seldom on an actual basis and they have suggested that the appraisers should request property owners tax returns or financial statements reflecting income so that values can be computed on a factual basis. It is also suggested that depreciation rates and property ages should be uniform for each property among appraisers. This lack of uniformity in methods of appraisals result in some rather ridiculous variance in appraisals. For instance, it has been found that the variance between appraisers is as much as from \$20,000.00 to \$39,000.00 on comparatively small takings. It is obvious that this method of appraising needs a definite reconsideration and the standards for appraisers should be set up to a definite minimum.

Administrative Expense

The determinations of the Montana State Highway Commission regarding its overhead expenditures are erroneous and computation by the auditors reveal that administrative fund expenditures according to their determination for the three year period of 1956, 1957 and 1958 exceed the commission's determination by the sums of \$323,068.10, \$682,117.73 and \$838,395.30 respectively. Computation for the year ended in June 30, 1958, indicated that the administrative fund expenditures were within less than \$17,500.00 of exceeding the 8% limitation required by statute. As a matter

of fact it may well be that a more detailed examination of expenditures would reveal that the 8% limitation has been exceeded.

Accounting System

The present accounting system of the commission is not up-to-date and while the personnel of the accounting office are conceded to be capable in their job of recording and maintaining records it is believed that there should be a uniform system of accounting for the Highway Department.

Public Relations Department

Some question has been raised as to whether or not the Highway Department must maintain a public relations department, particularly in view of the fact that it already has an advertising department. Without further study along these lines it would perhaps be difficult to make a final judgment on this, however, it is our sincere hope that this department is not used as one to promote the general welfare of the Highway Department and its officials, rather than as a service to the State of Montana.

RECOMMENDATIONS

1. Engineering plans should include better preconstruction procedures such as the more extensive use of core drilling equipment in questionable areas. For instance, it is believed that the difficulties encountered in Springdale Hill and the Roy Bridge approach could have been avoided, had these engineering techniques been employed in advance of construction.

2. The issuance of change orders such as the million dollar change order in the Springdale area should be curtailed, and in the event that a change order of this magnitude again becomes necessary, renegotiations should include a consideration of reducing the unit price if it appears that the contractor is benefiting by receiving a contract involving a less difficult material than originally entered into his calculations. A study of contracts issued by other states would be in order.

3. There should be a reconsideration of the entire routing policy so far as irrigated lands are concerned.

4. The present policy of letting contracts before a right-of-way is acquired should be sharply curtailed.

5. More careful use should be made of matching funds. The building of structures such as the Billings overpass under the 43%/57% matching funds should be sharply curtailed in all cases when it appears that the project is possibly eligible for the higher federal assistance under the interstate program. This policy of gambling our scarce funds at the rate of 43%/57% could prove disastrous in a state now faced with the overwhelming cost of an interstate highway program.

6. At present the Montana Highway Department is a fifty million dollar a year business. This business is being managed by a part-time board of commissioners. This board of commissioners should be made permanent and full-time and that they be made elective. In this manner we may have a board directly responsible to the people of the State of Montana, and one whose full time would be devoted to highway matters.

7. Further study of our present routing and building policies should be made by a qualified engineering firm in order that we may determine whether our tax moneys are being spent wisely. At this point it is well to note that mere reconsideration of policy by our present Highway Department would result in them justifying everything that they have done so far. Nothing would be accomplished by this.

8. The east-west interstate between Livingston and Big Timber and

between Big Timber and Billings, should be resurveyed to determine more accurately the feasibility of following the old stage coach road between Billings and Big Timber as recommended by the valley residents. This line would follow approximately along the first township line above the base on the map. Also, particularly in view of the fact that a dam site is planned between Big Timber and Livingston the feasibility of routing the interstate highway in the area now occupied by the old convict grade road should be considered.

9. The entire method of appraising land to be purchased for right-of-way purposes should be reconsidered and standardized in order that we may have a more realistic appraisal of properties to be purchased. Further, minimum standard qualifications should be set up for appraisers. Further purchases and building projects instituted on behalf of the Highway Department should be handled in such a manner as to avoid large expenditures of money in any one given year.

10. Where it appears that a change order is necessary because of a change in the type of material or for other reasons, if the amount of the change exceeds 30%, the contract should be cancelled and the bids re-let to avoid further situations such as happened at Springdale Hill.

11. In the event that an expensive and extensive program such as we are anticipating should result in questionable practices on the part of employees of the State of Montana, which practices could possibly be designated as malfeasance or misfeasance in office, we have no choice but to let these people remain eligible for retirement benefits under our present law. Perhaps one faced with the possibility of losing his retirement benefits in the event of malfeasance or misfeasance in office would be especially careful to avoid becoming embroiled in questionable situations. For this reason those who are guilty of these practices should be excluded from retirement benefits.

CONCLUSION

The State of Montana is a large state, geographically speaking, but yet the population of the entire state would not be sufficient to populate a moderately large city in the middle west. We are asked to assist in the building of an extensive interstate highway and contribute our tax dollars toward that goal. Evidence has come to our attention that apparently, due to waste and poor planning, our tax dollars have not always been spent wisely. This tendency appearing in the initial stages of such an extensive program is alarming and should be corrected immediately. It is better to discover extravagant tendencies and correct them in the early stages of an extensive program such as this than to be conducting an investigation after the damage has been done and the money is gone.

We sincerely believe that if the recommendations of this committee are followed, that the State of Montana will be saved millions of dollars.

This investigation, due to the lack of funds and the short time in which it must be conducted, was necessarily sketchy and was restricted to a few obvious areas in an attempt to determine whether or not there were discrepancies developing that may need correction. It is our opinion that this survey is merely preliminary and that considerable further research by qualified engineers would be necessary to reach complete conclusion.

We, your Special Investigating Committee of the State Highway Department, do hereby respectfully submit the foregoing report to the House of Representatives.

BRADFORD, Chairman,
AASHEIM, Vice-Chairman,
NEES,
WOLD.

(Substantiating documents on file with Committee report in office of Secretary of State).

Motion was made by Bradford that the Majority Committee report be adopted.

Mr. Speaker: We, a Minority of your Special Investigating Committee on the State Highway Department, respectfully report as follows:

(Motion was made by Gerard that the Minority Committee report be considered read in full, and that the Journal so show. Motion carried).

The undersigned, a member of the committee appointed by the Speaker of the House of Representatives to investigate the State Highway Department, and as such member, attended the hearings conducted by the committee, has made this report for the reason he believes that portions of the majority report are not true and correct, and does not express his conclusions. The undersigned was not consulted nor asked to assist in the preparation of the majority report and the author of that report is unknown to him.

The committee from the House of Representatives investigating highways was well received by the Highway Department employees who gave their whole-hearted cooperation to the committee. They seemed eager to furnish the requested information, it being their understanding that the investigation would be unbiased and bring out factors that would work toward easing some of their problems.

The Highway Department just completed the greatest accomplishments and we feel did much to alleviate the unemployment situation in Montana as well as bring many miles of improved highways to our state.

In our opinion, there were times during the hearing when members of our committee conducting the investigation did not show proper respect for those being questioned. This resulted in lack of sufficient explanation to many questions of vital importance to the investigation.

After an investigation by the firm of Newland and Blinn, certified public accountants, it was determined that the State Highway Department handles several millions of dollars per annum. The department has a constant payroll of more than 1700 and, at times, as many as 1900 employees. There has been no evidence of misappropriations or misapplication of funds at any time. The employees of the Highway Department are all capable, qualified, and conscientious. The department should be commended for its personnel and its accomplishments.

The minority report wishes to call attention to the fact that the proposed Mission Dam site at Springdale Hill, as discussed in the majority report, has never been more than a suggestion by the federal government. Numerous problems would be confronted in the building of such a dam. It would require the rerouting of the Northern Pacific Railway in that area which would probably bypass Livingston and disrupt the economy of that city. The proposed dam would inundate several ranches on the Shields River. It would necessarily bring about a rerouting of the highway. None of these possibilities has ever been suggested to the people.

To place the highway in any location other than where it is being constructed would necessitate entering into a contract with the Northern Pacific Railway. The highway department would be required to re-establish the railway tracks, and maintain the tracks for a minimum of thirteen (13) years. This alternate route selection would require a tremendous expenditure to riprap, re-channel and confine the Yellowstone River. The present route is the most practical and the least expensive.

During the excavation work at Springdale, it developed that instead of solid rock, a shale formation was present. That made it necessary to

cut deeper into the mountain and to haul thousands of yards of shale rock, not originally planned, in order that a flatter slope from the mountain to the highway could be constructed. Only in those cases where 25% or more additional material needs to be removed on a project, can a contractor request a change in his unit price bid. We are informed that in the case in question the contractor did request additional compensation for the material to be removed. This request was denied by the Highway Department and the Bureau of Public Roads.

As for the routing through the Yellowstone Valley between Livingston and Billings, the payment of 90 percent of the cost of this road is contingent upon Bureau of Public Roads' approval of the route. Without such approval by the Bureau of Public Roads, the federal government will not participate in the construction.

The southern route was jointly selected by the Bureau of Public Roads and Montana Highway Department engineers because it is the most satisfactory and the most economical. To have constructed the road as proposed by some of the farmers in the Yellowstone Valley would have required application of the same design and standards used on the southern route. The application of these standards and design would have been very costly due to the type of terrain encountered on the northern route where heavy fills and cuts would be necessary to attain an acceptable grade and alignment. In addition, it would require maintenance of the present highway in addition to the newly constructed highway, the cost of which would be too burdensome for the taxpayers of the state.

If the northern route were constructed, a substantial amount would have to be expended for the construction of bridges at intervals spanning the Yellowstone River to connect the present highway with the interstate highway in order that the local traffic would be served by the interstate highway. Such connecting highways are a requirement of the 1956 Federal Highway Act covering routes and interstate highways.

There was no evidence introduced at the hearings held by this committee indicating that the business interests or people of Billings, or of any other city in the Yellowstone Valley, exerted any influence in determining the route of the highway. The hearing was completely barren and devoid of such testimony. Such statements that have been entered in the records reflect the thinking and feeling of members of the committee responsible for the majority report.

The criticism of the construction of the overpass at Billings is unwarranted because there is and, for a number of years there has been, a necessity of such an overpass being constructed to replace the existing hazardous, and confusing underpass at the western end of the City of Billings.

Because of the unemployment situation during the summer of 1958, there was a demand for more highway construction and, as a consequence, a great deal of effort was put forth by the Highway Department to comply with this demand. An additional six million dollars was provided by the federal government for the express purpose of providing employment during the apparent recession. These funds were made available only to those states guaranteeing that highways would be placed under contract not later than December 1, 1958. Montana met the requirements.

All rights-of-way were obtained by the Right-of-Way Department and appraisers for the State of Montana in accordance with the statutory law and the Supreme Court decisions of this state.

With respect to the suggestion that highway commissioners be on an elected basis rather than the present appointive basis, it is our feeling that no good could be accomplished through such a move as this. It is a definite fact that the commissioners appointed by the Governor are, in all respects, dedicated public servants; they receive no remuneration for their work other

than the satisfaction of their service to the state. Any Governor with the welfare of the state in mind would hesitate to appoint any man whose qualifications might adversely reflect on the economy and well-being of his administration. On the other hand, an elected commissioner could very well be politically-minded rather than devoted to public service, and inclined to favor localities wherein the greatest number of voters reside.

Upon the invitation of Mr. Paul Cannon, Lieutenant Governor of the State of Montana, four officials of the Bureau of Public Roads appeared before a joint public hearing in the House Chambers; three of the bureau representatives were from the Portland office, and one from the Helena office. They commended the Montana Highway Department very highly for its planning and construction/maintenance accomplishments. Mr. W. B. Huffine, division engineer, Bureau of Public Roads, had previously testified at a committee investigation hearing during which he highly praised and approved of the Highway Department's accomplishments.

CORCORAN.

Substitute motion was made by Gerard that the Minority Committee report be adopted. Motion failed to carry.

Motion by Bradford carried. Majority Committee report adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 362, 27, 363, 372, Sub. 337, 365, 222, 469 and 366.

JARDINE, Chairman.

I have examined House Bill No. 222, introduced by Broeder et al and find the same to be correct.

BROEDER.

I have examined House Bill No. 362, introduced by Devier et al and find the same to be correct.

DEVIER.

I have examined House Bill No. 363, introduced by Devier et al and find the same to be correct.

DEVIER.

I have examined House Bill No. 365, introduced by Devier et al and find the same to be correct.

DEVIER.

I have examined House Bill No. 366, introduced by Devier et al and find the same to be correct.

DEVIER.

I have examined House Bill No. 372, introduced by Holtz (by request) and find the same to be correct.

HOLTZ.

I have examined House Bill No. 469, introduced by Cavan, Felt, and find the same to be correct.

CAVAN.

I have examined House Bill No. 27, introduced by the Committee on Agriculture, and find the same to be correct.

HOLTZ, Chairman.

I have examined Sub. House Bill No. 337, introduced by the Committee on Ways and Means, and find the same to be correct.

EMMONS, Chairman.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 222, 362, 363, 365, 366, 372, 469, 27 and Sub. 337.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 17, respectfully report as follows: That Senate Bill No. 17 be amended as follows:

Amend line 3 of page 2 of the original bill, being line 14 of page 1 of the printed bill, after the word "court" and before the "," by inserting the following words: "or in any justice court located in the same township as his court";

Amend line 4 of page 2 of the original bill, being line 14 of page 1 of the printed bill, by striking therefrom the word "his" after the word "from" and inserting in lieu thereof the word "said";

Amend line 4 of page 2 of the original bill, being line 14 of page 1 of the printed bill, by striking the word "court" before the period and inserting in lieu thereof the word "courts";

And as amended, be placed on General Orders.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 53, respectfully report as follows: That Senate Bill No. 53 be not concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 72, respectfully report as follows: That Senate Bill No. 72 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Sub. Senate Bill No. 74, respectfully report as follows: That Senate Sub. for Senate Bill No. 74 be not concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 79, respectfully report as follows: That Senate Bill No. 79 be not concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 94, respectfully report as follows: That Senate Bill No. 94 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under

consideration Senate Bill No. 111, respectfully report as follows: That Senate Bill No. 111 be not concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 117, respectfully report as follows: That Senate Bill No. 117 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration Senate Bill No. 118, respectfully report as follows: That Senate Bill No. 118 be reported out of committee without recommendation.

STRNISHA, Chairman.

Motion was made by Strnisha for adoption of the Committee report.

Substitute motion was made by Gill that further consideration of Senate Bill No. 118 be indefinitely postponed. Motion carried.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Sub. for Senate Bill No. 150, respectfully report as follows: That Senate Sub. for Senate Bill No. 150 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 192, respectfully report as follows: That Senate Bill No. 192 be not concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 156, respectfully report as follows: That Senate Bill No. 156 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 165, respectfully report as follows: That Senate Bill No. 165 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 167, respectfully report as follows: That Senate Bill No. 167 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Bill No. 177, respectfully report as follows: That Senate Bill No. 177 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Conservation, having had under consideration Senate Sub. for Senate Bill No. 14,

respectfully report as follows: That Senate Sub. for Senate Bill No. 14 be not concurred in.

McCOMBER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 533, respectfully report as follows: That House Bill No. 533 be placed on General Orders without recommendation.

BARNARD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 542, respectfully report as follows: That House Bill No. 542 be printed and placed on General Orders without recommendation.

BARNARD, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR

February 27, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
Helena, Montana.
Hon. Paul Cannon,
President of the Senate,
Helena, Montana.

Sirs:

I am returning House Bill 165 without my approval for the following reasons:

House Bill 165 would amend section 48-118, R.C.M., 1947, by making voidable any marriage between a couple, the male member of which is under the age of 21 or the female member of which is under the age of 18 unless licensed with the written consent of the father, mother or guardian of such persons. Section 48-118 is one of several inter-related companion provisions of the Laws of Montana relating to marriage, included among which are section 48-102 relating to "Age of Consent," section 48-202, relating to "Causes for Annulling Marriages," section 48-203, relating to "Actions Therefor—When and By Whom Commenced," and section 48-204, relating to "Children of Annulled Marriages."

Although these sections last enumerated are nowhere referred to in House Bill 165, all of the same would undoubtedly be affected. In fact, portions thereof seem to be repealed by implication by House Bill 165. The resultant conflict and confusion in the law would require litigation to resolve.

Although I agree with the underlying purpose of the bill to discourage marriages between persons of immature years, I feel that the bill in its present form fails to provide necessary procedural safeguards and might lead to tragic consequences in some cases. For example, it is not at all clear whether a child, if any, of a marriage annulled under House Bill 165 would be legitimate and would have a right to inherit property from his or her parents.

For these reasons I am returning House Bill 165 without my approval.

Very truly yours,

J. HUGO ARONSON, Governor.

Motion was made by Sheehy that House Bill 165 become law notwithstanding the veto of the Governor.

Sheehy requested a Call of the House. A sufficient number of seconds arose and the Speaker ordered a Call of the House. Upon completion of roll call, progress having been reported, Sheehy moved that the Call of the House be dispensed with. Thereupon a roll call vote was taken and the motion was carried by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barrett, Barnard, Bashor, Battin, Bradford, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Barnes, Mr. Speaker. Total 74.

Noes: Babcock, Bentz, DeWolfe, Elting, Fladager, Gleed, Leuthold, Nelstead, Powell, Sales Walton. Total 11.

Paired: McGarvey, aye; Broeder, no.

Absent and not voting: Haines (Missoula), Page (Granite). Total 2.

Excused: Angstman, Casey, Corcoran, Kiff, Shea. Total 5.

MOTIONS AND RESOLUTIONS

House Resolution No. 5, introduced by Wold, Aasheim, Nees, Bradford: A House Resolution directing distribution of the Majority Report of the House Special Investigating Committee of the State Highway Department to certain officials and departments of the state and federal governments.

Whereas, the State of Montana is embarked upon and will pursue in the foreseeable future a highway program costing hundreds of millions of dollars; and

Whereas, your special investigating committee of the State Highway Department has investigated said program for the purpose of determining how it has been executed in the past and how it should be continued in the future; and

Whereas, the majority of said committee has discovered and made a special report of certain basic deficiencies and errors in the administration of this program, which deficiencies and errors if continued will most certainly result in loss by waste and misappropriation of millions of dollars of state and federal tax monies; and

Whereas, said report suggests certain corrective action which your committee deems indispensable to the avoidance of costly errors in the future; and

Whereas, it appears the Highway Department and the administration of the state government is inclined to ignore or discredit said report without taking said recommended corrective action; and

Whereas, certain officials of the federal government and the Montana delegation to the United States Congress should be apprised of the progress and deficiencies of the federal road program as it is being carried out in the State of Montana; and

Whereas, the necessity for action pursuant to this report is both urgent and immediate at state and federal levels; and

Whereas, no provision has heretofore been made for submission of this

report to those concerned in order that it may be profitably reviewed and applied;

Now, Therefore, Be It Resolved, that a copy of the Majority Report of the Special Highway Investigating Committee be dispatched immediately to the Governor of the State of Montana, J. Hugo Aronson; to the Chief Engineer of the State Highway Department, Fred Quinnell, Jr.; to all members of the State Highway Commission, Harry L. Burns, S. N. Halvorson, Roy L. Sorrells, Les V. Swanson, and Otis S. Waters; to the Federal Highway Administrator of the United States Bureau of Roads, B. D. Tallamy; to the District Engineer of the Bureau of Public Roads, William Huffine; and to each member of the Montana delegation to the United States Congress, Senators James E. Murray and Mike Mansfield and Congressmen LeRoy Anderson and Lee Metcalf.

Motion was made by Wold for adoption of the above resolution. Motion carried, and resolution adopted.

Motion was made by Cerovski that House Rule 18, pertaining to General Orders, be suspended, and that the time limit for debate be reduced to three minutes, and that the maker of a motion be allowed three minutes to open and three minutes to close. Motion carried.

Motion was made by Cerovski that House Rule 36, subsection 2, be amended to read as follows: "2. No bills may be introduced after the twentieth day except substitute bills for bills pending and appropriation bills. Revenue bills may be introduced up to and including the twenty-fifth day." Motion referred to Rules Committee.

Motion was made by Bashor that Senate Bill No. 175 be laid on the table. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules for General Orders just adopted. Motion carried.

Parker of Pondera in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 16 be concurred in.

That Senate Bill No. 191 be amended in the title by adding after the last words thereof the following: "and containing a repealing clause.";

And as amended, be concurred in.

That Senate Bill No. 34 be concurred in.

That Senate Bill No. 68 be amended in section 7, by striking out in line 8, page 4 of the printed bill, after the word "dollar," the following words and figures, "and twenty-five cents (\$1.25)" and inserting in lieu thereof the following: "(\$1.00)";

Be further amended in section 9, page 4, line 6 of the printed bill, after the word "hazard," by deleting the period and inserting the following words and punctuation: "; provided, however, that in such event the operator shall deposit a cash bond, equivalent to the contract price, with the state forester conditioned upon the faithful performance of said contract.";

And as amended, be concurred in.

That Senate Bill No. 102 be amended in the title by inserting after the word "section" in the House committee of the whole amendments to Senate Bill No. 102 the following: "38-1106 and";

And as amended, be concurred in.

That Senate Bill No. 103 be concurred in.

That Senate Bill No. 104 be concurred in.

That Senate Bill No. 137 be concurred in.

That Senate Bill No. 184 be concurred in.

That Senate Bill No. 185 be concurred in.

That Senate Joint Resolution No. 3 be amended in the title by striking out in lines 3 and 4, page 1 of the printed bill, after the word "by" the following words: "the Montana Legislative Council and";

Be further amended in the title in line 5, page 1 of the printed bill, by striking the word "particularly";

Be further amended on page 2, line 25 of the printed bill, after the word "encourages," by striking the following: "the Legislative Council and";

Be further amended on page 2, line 30 of the printed bill, after the word "that," by striking the following: "the Legislative Council and";

And as amended, be concurred in.

That Senate Bill No. 168 be concurred in.

That further consideration of Senate Bill No. 113 be indefinitely postponed.

That Senate Bill No. 17 be concurred in.

That Senate Bill No. 72 be concurred in.

That Senate Bill No. 94 be concurred in.

That Senate Bill No. 107 be concurred in.

That Senate Bill No. 117 be concurred in.

That Substitute Senate Bill No. 150 be concurred in.

That Senate Bill No. 156 be placed at the bottom of the board.

That Senate Bill No. 165 be concurred in.

That Senate Bill No. 167 be placed at the bottom of the board.

That Senate Bill No. 177 be concurred in.

That Senate Bill No. 156 be concurred in.

That further consideration of Senate Bill No. 167 be indefinitely postponed.

PARKER, Chairman.

Report adopted.

MESSAGES FROM THE SENATE

February 28, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

Senate this day on motion requested that the House return to the Senate, House Bill No. 435.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 28, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill and Senate Substitute for House Bill were this day recommended that further consideration be indefinitely postponed by the Committee of the Whole report, report adopted, and the same are herewith returned to the House:

House Bill No. 236 by Parker.

Senate Sub. for House Bill No. 33 by Committee on Labor and Compensation.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 28, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for nonconcurrence by the Committee on Finance and Claims reports on this day, reports adopted, and the same are herewith returned to the House:

House Bill No. 185 by the Committee on Judiciary.

House Bill No. 184 by the Committee on Judiciary.

House Bill No. 534 by Barnard.

House Bill No. 154 by the Committee on Judiciary.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by McOmber that Senate Sub. for Senate Bill No. 175 be taken from the table and placed on General Orders. McOmber requested a roll call vote. There being a sufficient number of seconds, the Speaker ordered a roll call vote, and the motion carried as follows:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Bat-tin, Bentz, Broeder, Cavan, Devier, Elting, Eskildsen, Felt, Fladager, Ger-ard, Glancy, Gleed, Gunderson, Haines (Prairie), Hawks, Higham, Kolar, Langston, Leuthold, Loman, McNally, McOmber, Moudree, Nelstead, Nichols, Parker, Powell, Powers, Rindy, Sales, Schwinden, Shelden, Walton, Wright, Mr. Speaker. Total 41.

Noes: Abel, Barnes, Bashor, Bradford, Cerovski, Clowes, Gill, Hanks, Harball, Holding, Holecek, Karlberg, Kvaalen, Morrison, Nees, Page (Mis-soula), Paulsen, Reeder, Regan, Reinecke, Sheehy, Sheldon, Strnisha, Ton-ner, Wayrynen, Wood, Woodring. Total 27.

Absent and not voting: Curry, Daniels, DeWolfe, Emmons, Fjare, Gil-feather, Haines (Missoula), Healy, Holtz, Howard, Jardine, Jensen, Lees,

Loughran, McGaffick, Mernin, Page (Granite), Picard, Raundal, Wold. Total 20.

Excused: Angstman, Casey, Corcoran, Kiff, McGarvey, Shea. Total 6.

Motion was made by Cerovski that the House accede to the request of the Senate and return to that body House Bill No. 435. Motion carried.

Motion was made by Cerovski that the office of the chief clerk be directed to remain open until 12 o'clock midnight or until such time as the Senate adjourns this day, to receive any messages, or Senate amendments to House Bills from the Senate. Motion carried.

House Resolution No. 6, introduced by Sheldon (Flathead), Wold, Langston, Nees, Broeder, Fladager, Sales, Haines (Prairie), Hanks, Harball, Daniels, Battin, Bardanouve, Bentz, McGaffick, Wayrynen, Reeder, Schwinden, Abel, Devier, Glancy, Aasheim, Holecek, Bradford, Regan, Eskildsen, Cerovski, Gill, Gerard, Anderson, Cavan, Gleed, Wright, Higham, Fjare, Nichols, Reinecke, Paulsen, Page (Missoula), Walton, Wood, Barnard, Clowes, Sheldon (Lincoln), Jensen, Morrison, Gunderson, Healy, Holding, Karlberg, Strnisha, McOmber, Parker, Elting, Loman, Tonner, Rindy, DeWolfe, McNally, Powers: A Resolution of the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana urging the governor, the attorney general and the secretary of state of the State of Montana, in their individual official capacity and as the State Board of Examiners to cause a study to be made of the stale air situation in the chambers, halls, committee rooms and attaches rooms of the House of Representatives, and an estimate to be obtained for installation of proper air conditioning to correct such situation and providing that such study and estimate be presented to the next session of the Legislative Assembly of the State of Montana.

Whereas, while the Legislature is in session, there is an overabundance of foul air permeating the legislative chambers, committee rooms, halls and business rooms of the House of Representatives, and more than enough hot air in the chamber itself; and

Whereas, these conditions cause much illness to many of the members of the House of Representatives while at work, causing loss of time and efficiency; and

Whereas, these conditions unnecessarily subject the members of the House of Representatives to spells of lethargy and drowsiness at a time when only alertness is in order, and which is not conducive to the best thinking; and

Whereas, the attaches are subjected to the same foul air conditions, making it difficult for them to put forth their best efforts at times;

Now, Therefore, Be It Resolved, by the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana, that the said assembly hereby urges the governor, the attorney general and the secretary of state of the State of Montana, both in their individual official capacity and as the State Board of Examiners, to cause a study of such conditions as they now exist, to be made by qualified and competent men in the field, and to obtain an estimate of the cost of installation of an adequate air conditioning system for the House of Representatives chamber, the halls of the House, the committee rooms of the House, and attaches' rooms;

Be It Further Resolved, that the said officers and Board of Examiners are hereby urged to have said study prepared and estimate made, and present the same to the next Legislative Assembly of the State of Montana for its consideration.

Resolution adopted.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 194 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Cavan, Cerovski, Clowes, Devier, DeWolfe, Elting, Felt, Fladager, Gill, Glancy, Gunderson, Harball, Hawks, Healy, Holding, Higham, Karlberg, Kvaalen, Langston, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Nelstead, Page (Missoula), Paulsen, Picard, Powers, Regan, Reinecke, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 52.

Noes: Babcock, Battin, Bentz, Broeder, Eskildsen, Gerard, Gleed, Haines (Prairie), Hanks, Holecek, Kolar, McGaffick, Moudree, Nees, Nichols, Parker, Powell, Reeder, Sales, Sheehy, Walton, Wright. Total 22.

Absent and not voting: Curry, Daniels, Emmons, Fjare, Gilfeather, Haines (Missoula), Holtz, Howard, Jardine, Jensen, Lees, Mernin, Page (Granite), Raundal. Total 14.

Excused: Angstman, Casey, Corcoran, Kiff, McGarvey, Shea. Total 6.

Senate Bill No. 135 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Devier, DeWolfe, Felt, Fladager, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hawks, Healy, Holding, Higham, Karlberg, Kolar, Kvaalen, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 62.

Noes: Eskildsen, Hanks, Harball, Holecek, Langston, McGaffick, Moudree, Nichols, Powell, Sheldon, Tonner. Total 11.

Absent and not voting: Curry, Daniels, Elting, Emmons, Fjare, Gerard, Gilfeather, Haines (Missoula), Holtz, Howard, Jardine, Jensen, Lees, Mernin, Page (Granite). Total 15.

Excused: Angstman, Casey, Corcoran, Kiff, McGarvey, Shea. Total 6.

Senate Bill No. 1 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Devier, Felt, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Hawks, Healy, Holding, Higham, Holecek, Karlberg, Kolar, Kvaalen, Langston, Leuthold, Loman, McGaffick, McOmber, Morrison, Nees, Nichols, Picard, Powell, Powers, Reeder, Regan, Reinecke, Sales, Schwinden, Shelden, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 57.

Noes: Elting, Eskildsen, Fladager, Harball, Loughran, McNally, Moudree, Nelstead, Page (Missoula), Parker, Paulsen, Raundal, Rindy, Sheehy, Tonner, Wold. Total 16.

Paired: Howard, aye; Clowes, no.

Absent and not voting: Curry, Daniels, DeWolfe, Emmons, Fjare, Gilfeather, Haines (Missoula), Holtz, Jardine, Jensen, Lees, Mernin, Page (Granite). Total 13.

Excused: Angstman, Casey, Corcoran, Kiff, McGarvey, Shea. Total 6.

Senate Bill No. 16 was concurred in by the following vote:

Ayes: Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Devier, DeWolfe, Felt, Gerard, Gill, Glancy, Gleed, Haines (Prairie), Hanks, Hawks, Higham, Karlberg, Kolar, Langston, Leuthold, Loman, Loughran, Nichols, Page (Missoula), Parker, Paulsen, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Sheehy, Shelden, Strnisha, Tonner, Wood, Woodring, Wold, Wright. Total 49.

Noes: Aasheim, Abel, Elting, Eskildsen, Fladager, Gunderson, Harball, Healy, Holding, Holecek, Kvaalen, McGaffick, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Powell, Raundal, Schwinden, Sheldon, Walton, Mr. Speaker. Total 24.

Absent and not voting: Curry, Daniels, Emmons, Fjare, Gilfeather, Haines (Missoula), Holtz, Howard, Jardine, Jensen, Lees, Mernin, Page (Granite), Picard, Wayrynen. Total 15.

Excused: Angstman, Casey, Corcoran, Kiff, McGarvey, Shea. Total 6.

Senate Bill No. 191 was concurred in by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, DeWolfe, Elting, Felt, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Harball, Hawks, Healy, Holding, Higham, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Morrison, Nees, Nichols, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Sheehy, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 60.

Noes: Abel, Devier, Eskildsen, Hanks, Holecek, Karlberg, Moudree, Nelstead, Page (Missoula), Parker, Reeder, Schwinden. Total 12.

Absent and not voting: Clowes, Curry, Daniels, Emmons, Fjare, Gilfeather, Haines (Missoula), Holtz, Howard, Jardine, Jensen, Lees, Mernin, Page (Granite), Shelden, Walton. Total 16.

Excused: Angstman, Casey, Corcoran, Kiff, McGarvey, Shea. Total 6.

Senate Bill No. 68 was concurred in by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Devier, DeWolfe, Elting, Eskildsen, Felt, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Higham, Karlberg, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Morrison, Moudree, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 69.

Noes: Aasheim, Holding, Holecek, Reeder. Total 4.

Absent and not voting: Curry, Daniels, Emmons, Fjare, Gilfeather, Haines (Missoula), Holtz, Howard, Jardine, Jensen, Lees, Mernin, Nees, Nichols, Page (Granite). Total 15.

Excused: Angstman, Casey, Corcoran, Kiff, McGarvey, Shea. Total 6.

Senate Bill No. 102 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Devier, DeWolfe, Elting, Eskildsen, Felt, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Harball, Hawks, Healy, Holding, Higham, Holecek, Karlberg, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 73.

Noes: None.

Absent and not voting: Curry, Daniels, Emmons, Fjare, Fladager, Gilfeather, Haines (Missoula), Hanks, Holtz, Howard, Jardine, Jensen, Lees, Mernin, Page (Granite). Total 15.

Excused: Angstman, Casey, Corcoran, Kiff, McGarvey, Shea. Total 6.

Senate Bill No. 137 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Devier, DeWolfe, Eskildsen, Felt, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Karlberg, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 73.

Noes: Elting. Total 1.

Absent and not voting: Curry, Daniels, Emmons, Fjare, Gilfeather, Haines (Missoula), Holtz, Howard, Jardine, Jensen, Lees, Mernin, Page (Granite), Picard. Total 14.

Excused: Angstman, Casey, Corcoran, Kiff, McGarvey, Shea. Total 6.

Senate Joint Resolution No. 3 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Battin, Bentz, Bradford, Broeder, Cavan, Clowes, Devier, DeWolfe, Felt, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Holding, Higham, Holecek, Karlberg, Kolar, Kvaalen, Leuthold, Loman, Loughran, McGaffick, McNally, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Mr. Speaker. Total 61.

Noes: Bashor, Cerovski, Elting, Fladager, Healy, Langston, McOmber, Morrison, Picard, Schwinden. Total 10.

Absent and not voting: Curry, Daniels, Emmons, Eskildsen, Fjare, Gerard, Gilfeather, Haines (Missoula), Holtz, Howard, Jardine, Jensen, Lees, Mernin, Page (Granite), Woodring, Wright. Total 17.

Excused: Angstman, Casey, Corcoran, Kiff, McGarvey, Shea. Total 6.

Senate Bill No. 17 was concurred in by the following vote:

Ayes: Anderson, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Cavan, Cerovski, Devier, DeWolfe, Elting, Felt, Fladager, Gerard, Glancy, Gleed, Haines (Prairie), Hawks, Holding, Higham, Karl-

berg, Kolar, Kvaalen, Leuthold, Loman, McNally, McOmber, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Reinecke, Sales, Sheehy, Walton, Wood, Wold, Wright. Total 42.

Noes: Aasheim, Abel, Bardanouve, Broeder, Clowes, Eskildsen, Gill, Gunderson, Hanks, Harball, Healy, Holecek, Langston, Loughran, McGaffick, Morrison, Moudree, Nees, Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Sheldon, Strnisha, Tonner, Wayrynen, Woodring, Mr. Speaker. Total 32.

Absent and not voting: Curry, Daniels, Emmons, Fjare, Gilfeather, Haines (Missoula), Holtz, Howard, Jardine, Jensen, Lees, Mernin, Page (Granite), Shelden. Total 14.

Excused: Angstman, Casey, Corcoran, Kiff, McGarvey, Shea. Total 6.

Senate Bill No. 168 was concurred in by the following vote:

Ayes: Aasheim, Anderson, Babcock, Barnard, Battin, Bentz, Bradford, Broeder, Cavan, Devier, DeWolfe, Elting, Felt, Fladager, Gerard, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Hawks, Healy, Higham, Karlberg, Kolar, Kvaalen, Leuthold, McGaffick, McNally, McOmber, Morrison, Picard, Powers, Reeder, Regan, Reinecke, Sales, Shelden, Sheldon, Tonner, Wayrynen, Wood, Wold, Wright. Total 44.

Noes: Abel, Bardanouve, Barnes, Bashor, Cerovski, Clowes, Eskildsen, Hanks, Harball, Holding, Holecek, Langston, Loman, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Raundal, Rindy, Schwinden, Sheehy, Strnisha, Walton, Woodring, Mr. Speaker. Total 29.

Absent and not voting: Barrett, Curry, Daniels, Emmons, Fjare, Gilfeather, Haines (Missoula), Holtz, Howard, Jardine, Jensen, Lees, Loughran, Mernin, Page (Granite). Total 15.

Excused: Angstman, Casey, Corcoran, Kiff, McGarvey, Shea. Total 6.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Parker of Pondera in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Sub. for Senate Bill No. 175 be concurred in.

PARKER, Chairman.

Report adopted.

THIRD READING OF SENATE BILLS

Senate Substitute for Senate Bill No. 175, having been read three several times, title and history agreed to, was concurred in by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Battin, Bentz, Broeder, Cavan, Devier, DeWolfe, Elting, Eskildsen, Felt, Fjare, Fladager, Gerard, Glancy, Glead, Gunderson, Haines (Prairie), Harball, Hawks, Healy, Karlberg, Kolar, Langston, Leuthold, Loman, Loughran, McNally, McOmber, Moudree, Nees, Nelstead, Nichols, Parker, Paulsen,

Picard, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Strnisha, Walton, Wayrynen, Wold, Wright, Mr. Speaker. Total 52.

Noes: Abel, Barnes, Bashor, Cerovski, Clowes, Hanks, Holding, Holecek, Kvaalen, Morrison, Powell, Powers, Reeder, Regan, Wood. Total 15.

Paired: Higham, aye; Haines (Missoula), no.

Absent and not voting: Bradford, Curry, Daniels, Emmons, Gilfeather, Gill, Holtz, Howard, Jardine, Jensen, Lees, McGaffick, Mernin, Page (Granite), Page (Missoula), Raundal, Sheldon, Tonner, Woodring. Total 19.

Excused: Angstman, Casey, Corcoran, Kiff, McGarvey, Shea. Total 6.

Motion was made by Cerovski that the House adjourn until 11:00 a.m., Monday, March 2, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FIFTY-SEVENTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 2, 1959

House convened at 11:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Healy and Mernin, who were excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-fifth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 539, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

MESSAGES FROM THE GOVERNOR AND SENATE

March 2, 1959

Honorable John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

House Bill No. 225—Introduced by Battin.

House Bill No. 127—Introduced by Sheehy.

House Bill No. 198—Introduced by Sheehy and Battin.

House Bill No. 133—Introduced by Daniels.

House Bill No. 235—Introduced by Jardine, Wood and Bardanouve.

House Bill No. 519—Introduced by Special Committee on Consolidation of Boards, Bureaus and Departments.

House Bill No. 45—Introduced by Barnard, Wood, Howard and Felt.

Very truly yours,

J. HUGO ARONSON, Governor.

March 1, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 382 by Sheehy, Battin.

House Bill No. 338 by Kvaalen, Nelstead.

House Bill No. 335 by DeWolfe et al.

House Bill No. 479 by Anderson, McGaffick.

House Bill No. 187 by Felt, Wood.

House Bill No. 484 by Anderson.

House Bill No. 359 by Gilfeather et al.

House Bill No. 522 by Committee on Appropriations.

House Bill No. 407 by Glancy et al.

Substitute House Bill No. 72 by Committee on Printing.

House Bill No. 119 by Paulsen.

House Bill No. 120 by Paulsen.

House Bill No. 434 by McGaffick et al.

House Bill No. 433 by McGaffick et al.

House Bill No. 432 by McGaffick et al.

House Bill No. 431 by McGaffick et al.

House Bill No. 348 by Cavan.

House Bill No. 480 by McGarvey, Paulsen.

Substitute House Bill No. 78 by Committee on Public Health, Morals and Safety.

Substitute House Bill No. 92 by Committee on Public Health, Morals and Safety.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 1, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bill was this day recommended for nonconcurrency by the Committee on Finance and Claims report on this day, report adopted, and the same is herewith returned to the House:

House Bill No. 188 by McOmber et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 28, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for nonconcurrency by the Committee of the Whole report, report adopted, and the same is herewith returned to the House:

House Bill No. 182 by Holding et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 28, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 415 by Higham.

House Bill No. 53 by Committee on Education.

Substitute House Bill No. 293 by the Committee on Education.

House Bill No. 346 by Babcock et al.

House Bill No. 29 by the Committee on Banking and Insurance.

House Bill No. 412 by Felt and Wood.

House Bill No. 437 by McGarvey.

House Bill No. 317 by Battin et al.

House Bill No. 118 by Paulsen.

House Bill No. 448 by Casey et al.

House Bill No. 34 by Haines (Missoula), et al.

Substitute House Bill No. 455 by the Special Committee to Study Salaries of Administrative Heads.

Substitute House Bill No. 15 by the Committee on Public Health, Morals and Safety.

House Bill No. 171 by Picard et al.

House Bill No. 303 by Gilfeather et al.

House Bill No. 307 by Gilfeather et al.

House Bill No. 315 by Schwinden et al.

House Bill No. 460 by McGarvey et al.

Substitute House Bill No. 358 by Committee on Social Security.
House Bill No. 177 by Hawks and Babcock.
House Bill No. 254 by Broeder et al.
House Bill No. 215 by Hawks.
House Bill No. 237 by Sheehy et al.
Substitute House Bill No. 80 by the Committee on Judiciary.
House Bill No. 221 by Barrett et al.
Substitute House Bill No. 123 by the Committee on Banks and Banking.
House Bill No. 242 by MacDonald.
Substitute House Bill No. 305 by the Committee on Liquor Control.
House Bill No. 170 by McGarvey et al.
House Bill No. 50 by Powers et al.
House Bill No. 424 by Wood et al.
House Bill No. 255 by McGarvey et al.
House Bill No. 155 by the Committee on Judiciary.
Substitute House Bill No. 333 by the Committee on Workmen's Compensation.
House Bill No. 232 by Cavan et al.
House Bill No. 192 by McGarvey.
House Bill No. 208 by Wood et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 28, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Substitute for House Bill No. 31 was this day read third time and passed as amended, title and history agreed to, and the same is herewith transmitted to the House for concurrence:

Senate Substitute for House Bill No. 31 by Committee on Judiciary.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

February 28, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Substitutes for House Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Substitute for Substitute House Bill No. 312 by Military Affairs Committee.

Senate Substitute for House Bill No. 381 by Committee on Irrigation and Water Conservation.

Senate Substitute for House Bill No. 107 by Committee on Highways and Transportation.

Senate Substitute for Substitute House Bill No. 426 by Public Lands Committee.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, having had under consideration a motion that House Rule No. 36 be amended to read as follows: "Subsection 2. No bills may be introduced after the twentieth day except substitute bills for bills pending and appropriation bills. Revenue bills may be introduced up to and including the twenty-fifth day.", respectfully report as follows: That Rule 36, subsection 2 be adopted, as amended.

CEROVSKI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 141, 329, 90, 364, 504, 518, 113, 144, 402, 511, 361, 430, 367, Sub. 260.

JARDINE, Chairman.

I have examined Sub. H. B. No. 260, introduced by the Committee on Irrigation and Water Conservation and find the same to be correct.

HANKS, Vice-Chairman.

I have examined House Bill No. 430, introduced by Cavan and Felt and find the same to be correct.

CAVAN.

I have examined House Bill No. 361, introduced by Devier et al and find the same to be correct.

DEVIER.

I have examined House Bill No. 90, introduced by Battin et al and find the same to be correct.

BATTIN.

I have examined House Bill No. 518, introduced by the Special Committee on Consolidation of Boards, Bureaus and Departments and find the same to be correct.

REGAN, Chairman.

I have examined House Bill No. 511, introduced by the Special Committee on Consolidation of Boards, Bureaus and Departments and find the same to be correct.

REGAN, Chairman.

I have examined House Bill No. 367, introduced by Devier et al and find the same to be correct.

DEVIER.

I have examined House Bill No. 141, introduced by Strnisha and Wood and find the same to be correct.

STRNISHA.

I have examined House Bill No. 144, introduced by Haines (Missoula) et al and find the same to be correct.

HAINES (Missoula).

I have examined House Bill No. 364, introduced by Devier et al and find the same to be correct.

DEVIER.

I have examined House Bill No. 504, introduced by Wayrynen et al and find the same to be correct.

WAYRYNEN.

I have examined House Bill No. 329, introduced by Gilfeather et al and find the same to be correct.

GILFEATHER.

I have examined House Bill No. 113, introduced by Broeder et al and find the same to be correct.

BROEDER.

I have examined House Bill No. 402, introduced by Battin et al and find the same to be correct.

BATTIN.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 141, 329, 90, 364, 504, 518, 113, 144, 402, 511, 361, 430, 367 and Sub. 260.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House request the Senate to return Senate Bill No. 121 for further consideration. Motion carried.

Motion was made by Daniels that the House reconsider its previous action in indefinitely postponing Senate Bill No. 118. Motion carried.

INTRODUCTION OF BILLS

The following bills were introduced, read first and second times and referred to committees:

Senate Substitute for House Bill No. 31, introduced by Committee on Judiciary: A bill for an act entitled: "An act authorizing and empowering the Supreme Court of the State of Montana to recommend rules of pleading, practice and procedure in civil cases in the courts of the State of Montana, for the purpose of simplifying judicial proceedings and promoting the speedy determination of litigation upon its merits; creating a commission to prepare suggested rules of procedure of the State of Montana and prescribing the membership and powers and duties of said commission; providing for employment of a secretary-stenographer of the commission and employment of research agencies, if deemed necessary; providing for payment of actual travel and other expenses incurred by members of said commission in the discharge of their duties; appropriating funds to carry out the provisions of this act; providing that such recommended rules of pleading, practice and procedure shall be submitted to the Thirty-seventh Legislative Assembly of the State of Montana for its consideration; repealing all acts and parts of acts in conflict herewith and providing for an effective date of this act." Referred to the Committee on Judiciary.

Senate Substitute for Substitute House Bill No. 312, introduced by Military Affairs Committee: A bill for an act entitled: "An act to amend section 77-117 of the Revised Codes of Montana, 1947, replacement volume 5, relating to the adjutant-general of the state and the assistant adjutant-

general; providing that the adjutant-general shall have the rank of major-general; designating his qualifications and experience; providing for a salary; providing for the replacement of the adjutant-general; repealing subsections twelve and thirteen of section 77-120 of the Revised Codes of Montana, replacement volume 5; and repealing all acts and parts of acts in conflict herewith." Referred to the Committee on Military Affairs.

Senate Substitute for House Bill No. 381, introduced by the Senate Committee on Irrigation and Water Conservation: A bill for an act entitled: "An act amending the following sections, all pertaining to county water districts, of the Revised Codes of Montana, 1947; section 16-4508 relating to the qualification of electors and the manner of conducting elections; section 16-4520 relating to publication of notice of election on bonded indebtedness and qualification of electors; section 16-4527 relating to the levy and payment of water district taxes; permitting corporations and individuals, not residents of the district but owning taxable real property therein, to vote at water district elections; directing publication of notices in a newspaper within the county, rather than within the district; striking the words "* * * where the water district is located more than one (1) mile from the boundary of an incorporated city or town * * *" and providing in all county water districts for optional methods of assessing water district taxes; providing for a hearing and notice thereof before water district taxes are levied; providing for payment of taxes under protest and suit for recovery thereof; repealing all acts or parts of acts in conflict herewith; and providing a saving clause and an effective date." Referred to the Committee on Irrigation and Water Conservation.

Senate Substitute for House Bill No. 107, introduced by Committee on Highways and Transportation: A bill for an act entitled: "An act to amend section 32-1201, Revised Codes of Montana, 1947, relating to definitions, by defining supervisor and board, and to amend section 32-1202, Revised Codes of Montana, 1947, relating to accidents involving death or personal injury, by substituting the word 'board' for the word 'registrar', by authorizing the board to revoke license or permit to drive or any non-resident operating privilege for violation of this section; and to amend section 32-1206, Revised Codes of Montana, 1947, relating to duty of drivers upon striking fixtures or other property upon the highway, by requiring drivers of vehicles involved in accidents to report damage to property owners; and to amend section 32-1207, Revised Codes of Montana, 1947, relating to immediate reporting of accidents by requiring drivers of vehicles involved to give immediate notice of accidents by quickest means of communication; and to amend section 32-1208, Revised Codes of Montana, 1947, relating to written reports of accidents by adding the word 'bodily' before the word 'injury' of subsection (a) of this section by increasing property damage from twenty-five dollars (\$25.00) to one hundred dollars (\$100.00) when written reports of accidents are required, by substituting the word 'board' for the word 'supervisor', providing that the report will contain sufficient information to determine compliances with safety responsibility statutes, providing that the board may require drivers of vehicles involved in accidents to submit additional information and providing that law enforcement officers who investigate accidents must submit a written report of such to the board within ten (10) days; and to amend section 32-1209, Revised Codes of Montana, 1947, relating to when driver is unable to give immediate notice or submit written report by exempting drivers who are physically incapable of giving immediate notice or submitting such report, during such period of incapacity, and providing that an occupant shall give immediate notice and make or cause to be made the written report not made by the driver, and providing that when the incapacitated driver is not the owner of the vehicle, the owner of the vehicle shall make such written report not made by the driver of the vehicle; prohibiting any person making reports from giving false information and providing penalty for violation of such section; and to amend section 32-1210, Revised Codes of Montana, 1947, relating to accident report forms, by substituting the word 'board'

for the word 'supervisor'; providing that the board may suspend the license or other driving privilege of persons failing to report accidents and providing for fines for persons who fail to submit written reports of accidents; and to amend section 32-1211, Revised Codes of Montana, 1947, relating to coroners' responsibility to report traffic accidents, by requiring coroners to report traffic accidents to board each month; and to amend section 32-1213, Revised Codes of Montana, 1947, relating to confidential use of accident reports by substituting the word 'board' for the word 'supervisor', providing that financial responsibility reports submitted by the persons who are the drivers or the owners of motor vehicles are confidential; repealing all acts or parts of acts in conflict herewith." Referred to Committee on Highways and Highway Transportation.

Senate Substitute for Substitute House Bill No. 426, introduced by Public Lands Committee: A bill for an act entitled: "An act to amend section 81-433 of the Revised Codes of Montana, 1947, as amended by chapter 190, Laws of the Thirty-first Legislative Assembly of Montana, 1949, and by chapter 229, Laws of the Thirty-second Legislative Assembly of Montana, 1951, relating to rental rates of state grazing lands upon the animal-unit-month basis; to provide for an increase in the rental rates of state grazing lands by use of a new formula for computation of such rates, and to provide for the repeal of all acts and parts of acts in conflict herewith, and providing for an effective date of said act." Referred to the Committee on State Lands, Forests and Parks.

House Memorial No. 5, introduced by Gerard and Cerovski: A Memorial of the House of Representatives of the State of Montana to the Governor of the State of Montana and to the heads of all departments of the state government, and education agencies, including the Superintendent of Public Instruction and the State Board of Education and the County Superintendents of Schools, the school boards, superintendents, principals, and teachers of all elementary schools; advising them of the national aviation education workshop for teachers, which is being sponsored jointly by the University of Montana at Missoula; the United States Air Force; the Montana Aeronautics Commission; and the Civil Air Patrol. Referred to the Committee on Education.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 51, 13, 183, 173, 190, 31, 66, 49, 7, 58, 106, 182, 146, 52, 108, 61, 39, 186, 62, 44, 132, 40, 54, 126, 26, 193, 155 and Senate Sub. for Senate Bill 197.

THIRD READING OF SENATE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 34 was concurred in by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barnes, Bashor, Battin, Broeder, Casey, Cerovski, Curry, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Hawks, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, McGaffick, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Parker, Powell, Regan, Reinecke, Sales, Schwinden, Sheldon, Walton, Wayrynen, Woodring, Wright, Mr. Speaker. Total 56.

Noes: Aasheim, Barrett, Barnard, Bentz, Clowes, Eskildsen, Harball, Leuthold, Loughran, Nees, Page (Missoula), Picard, Raundal, Reeder, Shea, Tonner, Wood. Total 17.

Absent and not voting: Bradford, Corcoran, Daniels, Gilfeather, Glancy, Glead, Loman, McGarvey, Powers, Rindy, Strnisha, Wold, Shelden. Total 13.

Excused: Cavan, Gill, Healy, Holecek, Jensen, Mernin, Paulsen, Sheehy.
Total 8.

Senate Bill No. 103 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, McGaffick, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 75.

Noes: Loughran. Total 1.

Absent and not voting: Angstman, Bradford, Daniels, Gilfeather, Gleed, Loman, McGarvey, Nees, Powers, Shelden. Total 10.

Excused: Cavan, Gill, Healy, Holecek, Jensen, Mernin, Paulsen, Sheehy.
Total 8.

Senate Bill No. 104 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 77.

Noes: Gunderson. Total 1.

Absent and not voting: Angstman, Barnard, Bradford, McGaffick, McGarvey, Nees, Powers, Shelden. Total 8.

Excused: Cavan, Gill, Healy, Holecek, Jensen, Mernin, Paulsen, Sheehy.
Total 8.

Senate Bill No. 185 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Howard, Jardine, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Bradford, Clowes, Karlberg, McGarvey, Parker, Shelden. Total 6.

Excused: Cavan, Gill, Healy, Holecek, Jensen, Mernin, Paulsen, Sheehy.
Total 8.

Senate Bill No. 184 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 82.

Noes: None.

Absent and not voting: Bradford, Parker, Schwinden, Shelden. Total 4.

Excused: Cavan, Gill, Healy, Holecek, Jensen, Mernin, Paulsen, Sheehy. Total 8.

Senate Bill No. 72 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 78.

Noes: Clowes, Holding, Moudree, Strnisha. Total 4.

Absent and not voting: Bradford, Shelden, Sheldon, Wold. Total 4.

Excused: Cavan, Gill, Healy, Holecek, Jensen, Mernin, Paulsen, Sheehy. Total 8.

Senate Bill No. 94 was concurred in by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Casey, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Loman, McGaffick, McNally, McOmber, Nees, Nelstead, Nichols, Page (Granite), Picard, Powell, Powers, Raundal, Regan, Reinecke, Sales, Strnisha, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 58.

Noes: Abel, Broeder, Daniels, Emmons, Eskildsen, Felt, Hanks, Harball, Holding, Holtz, Jardine, Leuthold, McGarvey, Morrison, Page (Missoula), Parker, Reeder, Rindy, Schwinden, Shea, Sheldon, Tonner, Wayrynen, Wold. Total 24.

Absent and not voting: Bradford, Loughran, Moudree, Shelden. Total 4.

Excused: Cavan, Gill, Healy, Holecek, Jensen, Mernin, Paulsen, Sheehy. Total 8.

Senate Bill No. 107 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Powell, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 75.

Noes: Eskildsen, Raundal, Schwinden, Sheldon. Total 4.

Absent and not voting: Bradford, Devier, Gilfeather, Moudree, Picard, Powers, Shelden. Total 7.

Excused: Cavan, Gill, Healy, Holecek, Jensen, Mernin, Paulsen, Sheehy. Total 8.

Senate Bill No. 117 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Bradford, Shelden. Total 2.

Excused: Cavan, Gill, Healy, Holecek, Jensen, Mernin, Paulsen, Sheehy. Total 8.

Substitute Senate Bill No. 150 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barrett, Barnes, Bashor, Bentz, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Nelstead, Page (Granite), Page (Missoula), Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 67.

Noes: Battin, Daniels, Felt, Gleed, Howard, Jardine, Langston, McGaffick, Moudree, Nees, Nichols, Parker, Schwinden, Shea, Wright. Total 15.

Absent and not voting: Babcock, Barnard, Bradford, Shelden. Total 4.

Excused: Cavan, Gill, Healy, Holecek, Jensen, Mernin, Paulsen, Sheehy. Total 8.

Senate Bill No. 165 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barrett,

Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Devier, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 76.

Noes: DeWolfe, McGaffick, Morrison, Sales, Sheldon, Strnisha. Total 6.

Absent and not voting: Babcock, Daniels, Loughran, Shelden. Total 4.

Excused: Cavan, Gill, Healy, Holecek, Jensen, Mernin, Paulsen, Sheehy. Total 8.

Senate Bill No. 177 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Devier, Elting, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Higham, Holtz, Howard, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Powell, Reeder, Regan, Reinecke, Sales, Sheldon, Tonner, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 62.

Noes: Angstman, DeWolfe, Emmons, Eskildsen, Holding, Jardine, McGaffick, Morrison, Moudree, Nichols, Picard, Powers, Raundal, Rindy, Schwinden, Shea, Strnisha, Wayrynen, Wold. Total 19.

Absent and not voting: Babcock, Daniels, Karlberg, Loughran, Shelden. Total 5.

Excused: Cavan, Gill, Healy, Holecek, Jensen, Mernin, Paulsen, Sheehy. Total 8.

Senate Bill No. 156 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Howard, Jardine, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker, Page (Missoula). Total 80.

Noes: None.

Absent and not voting: Babcock, Clowes, Daniels, Kiff, Loughran, Shelden. Total 6.

Excused: Cavan, Gill, Healy, Holecek, Jensen, Mernin, Paulsen, Sheehy. Total 8.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a

Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

McOmber of Teton in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 306 do pass.

That House Bill No. 530 be passed temporarily and placed on the board below Senate Amendments to House Bill No. 29.

That House Bill No. 529 do pass.

That consideration of House Bill No. 533 be passed for the day.

That House Bill No. 536 do pass.

That House Bill No. 537 do pass.

That Substitute House Bill No. 538 do pass.

McOMBER, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by McGarvey that Senate Amendments to House Bill No. 333 be referred to the Committee on Workmen's Compensation. Motion carried.

Motion was made by Daniels that Senate Bill No. 118 be placed on General Orders. Motion carried.

Motion was made by Cerovski that the House recess until 2:15 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS

February 24, 1959.

Allen Donohue, Chief Clerk,
Montana House of Representatives,
Capitol,
Helena, Montana.

Dear Mr. Donohue:

Please be informed that I have sent, as instructed in House Joint Memorial No. 2, certified copies of such Memorial.

Sincerely yours,
FRANK MURRAY,
Secretary of State.

MOTIONS AND RESOLUTIONS

Motion was made by McGarvey that Senate Substitute for Substitute

House Bill No. 333 be taken from the Committee on Workmen's Compensation and returned to General Orders. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

McOmber of Teton in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 540 do pass.

That House Bill No. 527 do pass.

McOMBER, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 529 and 537, and House Bills Nos. 306, 536 and Sub. H. B. 538 considered correctly engrossed.

PARKER, Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriation measures at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 306 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Battin, Bentz, Cerovski, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Felt, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Holtz, Howard, Karlberg, Kolar, Kvaalen, Langston, Leuthold, Loman, McGarvey, McNally, McOmber, Morrison, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Rindy, Sales, Shea, Shelden, Sheldon, Tonner, Walton, Wayrynen, Wood, Wright, Mr. Speaker. Total 67.

Noes: Barnes, Bashor, Bradford, Eskildsen, Loughran, Moudree. Total 6.

Absent and not voting: Broeder, Casey, Daniels, Emmons, Fjare, Fladager, Jardine, Kiff, Lees, McGaffick, Reinecke, Schwinden, Strnisha, Woodring, Wold. Total 15.

Excused: Cavan, Gill, Healy, Jensen, Mernin, Sheehy. Total 6.

House Bill No. 529 was passed by the following vote:

Ayes: Aasheim, Abel, Barrett, Barnard, Barnes, Cerovski, Clowes, Corcoran, Curry, Devier, Eskildsen, Gilfeather, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Holtz, Howard, Karlberg, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Moudree, Nees, Nichols, Page (Granite), Parker, Paulsen, Powers, Reeder, Shelden, Sheldon, Tonner, Walton, Wayrynen, Wood, Wright, Mr. Speaker. Total 48.

Noes: Anderson, Angstman, Babcock, Bardanouve, Bashor, Battin,

Bentz, Bradford, Daniels, DeWolfe, Elting, Felt, Gerard, Haines (Prairie), Jardine, Kolar, Kvaalen, Morrison, Nelstead, Page (Missoula), Powell, Raundal, Regan, Rindy, Sales, Shea. Total 26.

Absent and not voting: Broeder, Casey, Emmons, Fjare, Fladager, Kiff, Loughran, McGaffick, Picard, Reinecke, Schwinden, Strnisha, Woodring, Wold. Total 14.

Excused: Cavan, Gill, Healy, Jensen, Mernin, Sheehy. Total 6.

House Bill No. 536 was passed by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Cerovski, Curry, Daniels, Devier, DeWolfe, Eskildsen, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Holecek, Holtz, Howard, Karlberg, Kvaalen, Langston, Lees, Leuthold, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Regan, Rindy, Sales, Shelden, Tonner, Walton, Wayrynen, Wood, Mr. Speaker. Total 55.

Noes: Anderson, Angstman, Babcock, Battin, Bentz, Clowes, Corcoran, Elting, Felt, Gerard, Higham, Jardine, Kolar, Loughran, Picard, Powell, Shea, Sheldon, Wright. Total 19.

Absent and not voting: Bradford, Broeder, Casey, Emmons, Fjare, Fladager, Kiff, Loman, McGaffick, Reinecke, Schwinden, Strnisha, Woodring, Wold. Total 14.

Excused: Cavan, Gill, Healy, Jensen, Mernin, Sheehy. Total 6.

House Bill No. 537 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Eskildsen, Felt, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loughran, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powers, Raundal, Reeder, Regan, Rindy, Sales, Shea, Shelden, Sheldon, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 69.

Noes: Anderson, Angstman, Bradford, Elting, Gerard, Powell. Total 6

Absent and not voting: Broeder, Casey, Emmons, Fjare, Fladager, Kiff, McGaffick, Loman, Reinecke, Schwinden, Strnisha, Tonner, Woodring. Total 13.

Excused: Cavan, Gill, Healy, Jensen, Mernin, Sheehy. Total 6.

Substitute House Bill No. 538 was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Eskildsen, Felt, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Holtz, Howard, Jardine, Karlberg, Kolar, Kvaalen, Lees, Leuthold, Loughran, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Rindy, Sales, Shea, Shelden, Sheldon, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 73.

Noes: Elting. Total 1.

Absent and not voting: Broeder, Casey, Emmons, Fjare, Fladager, Kiff, Loman, Langston, McGaffick, Reinecke, Schwinden, Strnisha, Tonner, Woodring. Total 14.

Excused: Cavan, Gill, Healy, Jensen, Mernin, Sheehy. Total 6.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 469, 365, 222, 366, 372, 27, 363, 362 and Sub. H. B. 337, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:35 o'clock p.m., delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 89, 489, 87, 370, 459, 432, 476, 433.

JARDINE, Chairman.

I have examined House Bill No. 87, introduced by Holtz et al and find the same to be correct.

HOLTZ.

I have examined House Bill No. 89, introduced by Lees et al and find the same to be correct.

LEES.

I have examined House Bill No. 489, introduced by Devier et al and find the same to be correct.

DEVIER.

I have examined House Bill No. 476, introduced by Kiff et al and find the same to be correct.

KIFF.

I have examined House Bill No. 433, introduced by McGaffick et al and find the same to be correct.

McGAFFICK.

I have examined House Bill No. 432, introduced by me and find the same to be correct.

McGAFFICK.

I have examined House Bill No. 370, introduced by Battin et al and find the same to be correct.

BATTIN.

I have examined House Bill No. 459, introduced by Gilfeather et al and find the same to be correct.

GILFEATHER.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 89, 489, 87, 370, 459, 432, 476 and 433.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

McOmber of Teton in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 526 be amended in the title by striking out in line 2 of the printed bill, following the figures "85,000," the words "for the purpose of" and inserting in lieu thereof the words "out of the highway fund for the purpose of advertising the State of Montana, particularly its highways by";

Be further amended in section 1 by striking out in line 2 of the printed bill, following the word "deemed," the words "of over-all benefit for the State of Montana" and inserting in lieu thereof the words "an advertisement of the State of Montana and its highways";

Be further amended in section 2 by striking out in line 1 of the printed bill, after the word "money," the words "in the general fund" and inserting in lieu thereof the words "in the highway fund";

Be further amended in section 3 by striking out section 3 in its entirety and inserting in lieu thereof a new section 3 as follows: "The monies herein appropriated may be spent at the discretion of the Governor at any time before October 1, 1960, and if the Governor, in his discretion, does not spend said monies by that time, said monies shall revert to the highway fund."; and as amended, do pass.

That further consideration of Substitute House Bill No. 525 be indefinitely postponed.

That Senate Amendments to House Bill No. 307 be not concurred in, but that a conference committee of three members be appointed from the House and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 303 be not concurred in, but that a conference committee of three members be appointed from the House and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 315 be not concurred in, but that a conference committee of three members be appointed from the House and a like committee requested from the Senate.

That consideration of Senate Amendments to House Bill No. 29 be passed for the day.

That consideration of House Bill No. 530 be passed for the day.

That Senate Amendments to House Bill No. 91 be not concurred in, but that a conference committee of three members be appointed from the House and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 460 be concurred in.

That Senate Amendments to House Bill No. 123 be concurred in.

That Senate Amendments to House Bill No. 333 be concurred in.

That Senate Amendments to House Bill No. 29 be not concurred in.

McOMBER, Chairman.

Motion was made by McOmber that the Committee report be adopted.

Substitute motion was made by Sheehy that Senate Amendments to House Bill No. 29 be segregated from the Committee report. Call of the House was requested and sufficient seconds arising, the Speaker ordered a Call of the House. Upon completion of roll call, progress having been reported, Sheehy moved that the Call of the House be dispensed with. Motion carried. Substitute motion carried by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 86.

Noes: Daniels, Devier, Fladager, Holding, Raundal, Schwinden. Total 6.

Absent and not voting: Angstman. Total 1.

Excused: Mernin. Total 1.

Substitute motion was made by Jardine that Senate Amendments to House Bill No. 123 be segregated from the Committee report. Roll call vote was requested with the results thereof to be spread on the Journal in full. Sufficient seconds arising, roll call vote was taken and the substitute motion failed to carry as follows:

Ayes: Angstman, Barnard, Barnes, Bashor, Casey, Clowes, Daniels, Devier, Eskildsen, Fladager, Glancy, Hanks, Holding, Holecek, Jardine, Jensen, McGarvey, McNally, McOmber, Nees, Nelstead, Parker, Raundal, Reeder, Rindy, Schwinden, Sheldon, Tonner. Total 28.

Noes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Corcoran, Curry, DeWolfe, Elting, Emmons, Felt, Fjare, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, Morrison, Moudree, Nichols, Page (Granite), Page (Missoula), Paulsen, Picard, Powell, Powers, Regan, Reinecke, Sales, Shea, Sheehy, Sheldon, Strnisha, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 65.

Absent and not voting: None.

Excused: Mernin. Total 1.

Substitute motion was made by Gerard that Senate Amendments to House Bill No. 303 be segregated from the Committee report. A roll call was requested with the results thereof to be spread on the Journal in full. There being sufficient seconds, roll call vote was taken and the substitute motion failed to carry as follows:

Ayes: Anderson, Angstman, Babcock, Bashor, Battin, Bentz, Broeder, Cavan, Corcoran, Curry, Daniels, DeWolfe, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Leuthold, Loman, Loughran, Morrison, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Shea, Walton, Wright. Total 40.

Noes: Aasheim, Abel, Bardanouve, Barnard, Barnes, Barrett, Bradford, Casey, Cerovski, Clowes, Devier, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Langston, Lees, McGaffick, McGarvey, McNally, McOmber, Moudree, Nees, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Sheehy, Sheldon, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 52.

Absent and not voting: Elting. Total 1.

Excused: Mernin. Total 1.

Substitute motion was made by Gerard that Senate Amendments to House Bill No. 315 be segregated from the Committee report. A roll call was requested with the results thereof to be spread on the Journal in full. There being sufficient seconds, roll call vote was taken and the substitute motion failed to carry as follows:

Ayes: Anderson, Angstman, Babcock, Battin, Bentz, Broeder, Cavan, Corcoran, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kiff, Kolar, Kvaalen, Leuthold, Loman, Loughran, Morrison, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Walton, Wright. Total 35.

Noes: Aasheim, Abel, Bardanouve, Barnard, Barnes, Barrett, Bradford, Casey, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jensen, Karlberg, Langston, Lees, McGaffick, McGarvey, McNally, McOmber, Moudree, Nees, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 56.

Absent and not voting: Bashor, Jardine. Total 2.

Excused: Mernin. Total 1.

McOmber moved that the Committee of the Whole report be adopted, as amended. Motion carried. Amended report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 528, 541, 542, beg leave to report that the same have this date been returned from the printer correctly printed.

ABEL, Chairman.

MOTIONS AND RESOLUTIONS

Motion was made by Barnard that House Bill No. 528 be taken from the House and rereferred to the Committee on Appropriations. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker made the following conference committee appointments: To confer with the Senate conference committee on Senate amendments to House Bill No. 307: Schwinden, Gilfeather and Felt.

To confer with the Senate conference committee on Senate amendments to House Bill No. 303: Gilfeather, Schwinden and Felt.

To confer with the Senate conference committee on Senate amendments to House Bill No. 315: Schwinden, Gilfeather and Felt.

To confer with the Senate conference committee on Senate amendments to House Bill No. 91: Clowes, Picard and Battin.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 527 and 540.

PARKER, Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 527 was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford, Broeder, Casey, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Fjare, Fladager, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Mr. Speaker. Total 77.

Noes: Anderson, Battin, Bentz, Cavan, Elting, Felt, Gerard, Kvaalen, Reinecke, Wright. Total 10.

Absent and not voting: Eskildsen, Jardine, Moudree, Nees, Paulsen, Wayrynen. Total 6.

Excused: Mernin. Total 1.

House Bill No. 540 was passed by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fladager, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 79.

Noes: Anderson, Angstman, Battin, Cavan, Corcoran, Elting, Felt, Fjare, Gerard. Total 9.

Absent and not voting: Casey, Jardine, Nees, Paulsen, Wayrynen. Total 5.

Excused: Mernin. Total 1.

Senate Amendments to House Bill No. 460 were concurred in by the following vote:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fladager, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Healy, Higham, Holecek, Holtz, Jensen, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 67.

Noes: Anderson, Angstman, Babcock, Battin, Cavan, Corcoran, Elting, Felt, Fjare, Gerard, Gleed, Holding, Howard, Kvaalen, Loman, Powell, Reinecke, Sales. Total 18.

Absent and not voting: Casey, Harball, Hawks, Jardine, Nees, Page (Granite), Paulsen, Wayrynen. Total 8.

Excused: Mernin. Total 1.

Senate Amendments to Substitute House Bill No. 123 were concurred in by the following vote:

Ayes: Aasheim, Anderson, Babcock, Bardanouve, Barrett, Barnard, Bentz, Bradford, Broeder, Cavan, Cerovski, Corcoran, Curry, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loughran, McGaffick, McNally, McOmber, Morrison, Moudree, Nichols, Page (Missoula), Paulsen, Picard, Powers, Raundal, Regan, Reinecke, Sales, Shea, Sheehy, Shelden, Strnisha, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 62.

Noes: Angstman, Barnes, Bashor, Clowes, Daniels, Devier, Eskildsen, Glancy, Hanks, Holecek, Jensen, Kvaalen, Loman, McGarvey, Nelstead, Parker, Powell, Reeder, Rindy, Schwinden, Sheldon, Tonner. Total 22.

Absent and not voting: Abel, Battin, Casey, DeWolfe, Hawks, Jardine, Nees, Page (Granite), Wayrynen. Total 9.

Excused: Mernin. Total 1.

Senate Amendments to Substitute House Bill No. 333 were concurred in by the following vote:

Ayes: Aasheim, Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 85.

Noes: Babcock, Lees, Loman. Total 3.

Paired: Mernin, aye; Anderson, no.

Absent and not voting: Hawks, Jardine, Nees, Page (Granite). Total 4.

Excused: None.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Tuesday, March 3, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FIFTY-EIGHTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 3, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Mernin, excused, and DeWolfe and McGarvey, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-seventh Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 479, 119, 359, 431 and 267.

SCHWINDEN.

I have examined House Bill No. 431, introduced by McGaffick et al and find the same to be correct.

McGAFFICK.

I have examined House Bill No. 119 introduced by Paulsen and find the same to be correct.

PAULSEN.

I have examined House Bill No. 267, introduced by Curry et al and find the same to be correct.

CURRY.

I have examined House Bill No. 359, introduced by Gilfeather et al and find the same to be correct.

GILFEATHER.

I have examined House Bill No. 479, introduced by Anderson, McGaffick, and find the same to be correct.

ANDERSON.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 431, 119, 267, 359, 479.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Sub. for House Bill No. 31, respectfully report as follows: That Senate Sub. for House Bill No. 31 be concurred in.

DANIELS, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration Senate Sub. for Sub. House Bill No. 312, respectfully report as follows: That Senate Sub. for Sub. House Bill No. 312 be concurred in.

ABEL, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on State Lands, Forests and Parks, having had under consideration Senate Sub. for Sub. House Bill No. 426,

respectfully report as follows: That Senate Sub. for Sub. House Bill No. 426 be concurred in.

STRNISHA, Chairman.

Motion was made by Strnisha for adoption of the Committee report.

Substitute motion was made by Bardanouve that the Committee report be not adopted, but that a conference committee of three members be appointed from the House and a like committee requested from the Senate to further consider Senate Sub. for Sub. House Bill No. 426. Wold requested a roll call vote on the above substitute motion. There being a sufficient number of seconds, a roll call vote was taken and the substitute motion carried by the following vote:

Ayes: Aasheim, Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Broeder, Casey, Cerovski, Curry, Devier, Elting, Emmons, Gilfeather, Gill, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jensen, Karlberg, Kvaalen, Lees, Leuthold, McGaffick, McNally, McOmber, Moudree, Page (Missoula), Parker, Powers, Reeder, Regan, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Wold, Mr. Speaker. Total 53.

Noes: Anderson, Babcock, Battin, Bradford, Cavan, Clowes, Corcoran, Eskildsen, Felt, Fjare, Fladager, Gerard, Glancy, Glead, Hawks, Higham, Kiff, Kolar, Langston, Loman, Morrison, Nees, Nelstead, Nichols, Paulsen, Powell, Raundal, Reinecke, Sales, Shea, Walton, Wright. Total 32.

Absent and not voting: Daniels, DeWolfe, Jardine, Loughran, McGarvey, Page (Granite), Picard, Woodring. Total 8.

Excused: Mernin. Total 1.

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 528, respectfully report as follows: That House Bill No. 528 be amended as follows:

Amend in lines 3 and 4, page 4 of the original bill, being line 21 of the printed bill, by striking the words and figures "Salaries, forty-two thousand one hundred twenty dollars, \$42,120.00" and inserting in lieu thereof the words and figures "Salaries, forty-six thousand six hundred twenty dollars, \$46,620.00"

Amend in lines 9, 10, 11, 12, 13 and 14, page 4 of the original bill, being lines 24, 25, 26 and 27 of the printed bill, by striking the words and figures:

Salaries and expenses for elections, amendments, initiative and referendum measures, two thousand nine hundred eighty dollars.....\$2,980.00;

Public employees' retirement system and social security, two thousand two hundred dollars\$2,200.00;

And inserting in lieu thereof the words and figures:

"Expenses for elections, amendments, initiative and referendum measures, twelve thousand nine hundred eighty dollars.....\$12,980.00;

Public employees' retirement system and social security, two thousand two hundred twenty-five dollars\$2,225.00";

Amend in lines 8 and 9, page 10 of the original bill, being line 167 of the printed bill, by striking the words and figures "For reimbursement to local schools, twenty-five thousand dollars, \$25,000.00" and inserting in lieu thereof the words and figures "For reimbursement to local schools, thirty thousand dollars\$30,000.00";

Amend in lines 21 and 22, page 12 of the original bill, being line 20, page 8 of the printed bill, by striking the words and figures "Salaries, forty-two thousand one hundred twenty dollars.....\$42,120.00";

And inserting in lieu thereof the words and figures "Salaries, forty-six thousand six hundred twenty dollars\$46,620.00";

Amend in lines 27, 28, 29, 30, 31 and 32, page 12 of the original bill, being lines 23, 24, 25, 26 and 27, page 8 of the printed bill, by striking the words and figures: "Salaries and expenses for elections, publishing amendments, initiative and referendum measures, twenty-one thousand six hundred twenty-five dollars\$21,625.00;

Public employees' retirement system and social security, two thousand two hundred" and inserting in lieu thereof the words and figures: "Expenses, publishing amendments, initiative and referendum measures, nine thousand dollars\$9,000.00;

Public employee's retirement system and social security, two thousand two hundred twenty-five dollars\$2,225.00";

Amend in line 1, page 13 of the original bill by striking the word and figures "dollars\$2,200.00"

Amend in lines 13 and 14, page 18 of the original bill, being line 156, page 12 of the printed bill, by striking the words and figures "For reimbursement to local schools, twenty-five thousand dollars.....\$25,000.00" and inserting in lieu thereof the words and figures "For reimbursement to local schools, thirty thousand dollars.....\$30,000.00";

Amend in lines 17 and 18, page 4 of the original bill, being line 30, page 3 of the printed bill, by striking the words and figures "Salaries, seventy-three thousand nine hundred dollars.....\$73,900.00" and inserting in lieu thereof the words and figures "Salaries, seventy-seven thousand nine hundred dollars\$77,900.00";

Amend in lines 4 and 5, page 13 of the original bill, being line 30, page 8 of the printed bill, by striking the words and figures "Salaries, seventy-three thousand nine hundred dollars.....\$73,900.00" and inserting in lieu thereof the words and figures "Salaries, seventy-seven thousand nine hundred dollars\$77,900.00";

And as amended, do pass.

BARNARD, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

March 2, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
State Capitol,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 368—Introduced by Devier, Nichols, Moudree and Walton.

H. B. No. 369—Introduced by Devier, Nichols, Bardanouve, Moudree and Walton.

H. B. No. 299—Introduced by Haines (Prairie), Nichols and Bentz.

H. B. No. 172—Introduced by Committee on Livestock and Public Ranges.

H. B. No. 378—Introduced by DeWolfe, Eskildsen and Parker.

H. B. No. 438—Introduced by Broeder and Strnisha.

H. B. No. 138—Introduced by Babcock, Barrett, Broeder, Bradford, and Bentz.

Sub. H. B. No. 263—Introduced by Committee on Affairs of Cities.

H. B. No. 523—Introduced by the Committee on Appropriations.

H. B. No. 94—Introduced by Haines (Missoula), Howard and Morrison.

Very truly yours,

J. HUGO ARONSON, Governor.

March 2, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that in compliance with your request we are returning the following Senate Bill to the House for further consideration:

Senate Bill No. 121 by Groff et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended that further action be indefinitely postponed by the Committee of the Whole report, report adopted, and the same is herewith returned to the House:

House Bill No. 54 by Shelden (Lincoln) et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

March 2, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to the following Senate Bills, and on motions requested the President to appoint a Conference Committee of three for each and request that a like House Committee be appointed for each by the Speaker of the House to confer on the House amendments:

Senate Bill No. 76 by Cotton, Hagenston.

Senate Bill No. 169 by Mahoney (Garfield), Brenner.

Senate Bill No. 168 by Mahoney (Sanders), Cumming.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

House Resolution No. 7, introduced by Shelden (Lincoln), Wood, Devier, Barnard: A Resolution of the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana directing the Legislative Council observe and report to the Thirty-seventh Legislative Assembly any reprisal by the departments, commissions, boards and bureaus of the state government against any state employee supplying data or testimony to the Thirty-sixth Legislative Assembly.

Whereas, the Legislative Assembly has power to investigate the operation of the state government for the purpose of determining how the laws are being executed and how they should be amended; and

Whereas, it is the duty of every state employee to fully inform the Legislative Assembly upon the operation of any department, commission, board or bureau by which he is employed; and

Whereas, said information is vital to the maintenance of responsible and economical state government and any let or hindrance to the flow of such information would be inimical to the welfare of the state; and

Whereas, the House of Representatives of the Thirty-sixth Legislative Assembly has caused to be investigated several departments, commissions, boards and bureaus of the state government and received reports thereon; and

Whereas, many employees of the state government have supplied data and testimony pursuant to said investigations, contributing materially to the useful knowledge and information of this Legislative Assembly; and

Whereas, it appears that reprisal may be taken against those employees who have supplied such data and testimony; and

Whereas, it is the sense of the House of Representatives that any such reprisal should be brought to the attention of the Thirty-seventh Legislative Assembly in order that corrective action may be taken if deemed necessary.

Now, Therefore, Be It Resolved, that the Legislative Council be directed by this Legislative Assembly to maintain surveillance upon the departments, commissions, boards and bureaus of the state government during the next biennium to observe if reprisal is taken against any state employee supplying this assembly or any of its members with data or testimony upon the operation of the state government and to report any such reprisal to the Thirty-seventh Legislative Assembly.

Motion was made by Shelden that the above Resolution be adopted. Motion carried. Resolution adopted.

Motion was made by Cerovski that the House reconsider its previous action in concurring in Senate Bill No. 121. Motion carried.

Motion was made by Cerovski that Senate Bill No. 121 be placed on General Orders. Motion carried.

Barrett moved that the House reconsider its previous action in adopting an adverse Committee of the Whole report on Substitute House Bill No. 525. Motion carried.

Barrett moved that Substitute House Bill No. 525 be placed on General Orders this day. Motion carried.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times at length and referred to the Committee on Appropriations:

House Bill No. 543, introduced by Langston, Cerovski, Felt, Battin, Anderson, Sheehy, Cavan, Gleed, Wold, McOmber, Tonner: A bill for an act entitled: "An act to appropriate one hundred eighty thousand dollars (\$180,000) for the purpose of paying per diem expenses for members of the Legislative Assembly first hereafter elected; providing that members of the Legislative Assembly hereafter elected shall receive the sum of twenty dollars (\$20.00) per day for expenses incurred while attending sessions of the Legislature; providing that this per diem payment is in addition to and not in lieu of the salary of the members provided for in section 43-310, Revised Codes of Montana, 1947, as amended; and providing for a repealing clause."

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: Sub. House Bills Nos. 72 and 92, House Bills Nos. 407, 187, 434, 120 and 348.

SCHWINDEN.

I have examined House Bill No. 187, introduced by Felt and Wood and find the same to be correct.

FELT.

I have examined House Bill No. 120, introduced by Paulsen and find the same to be correct.

PAULSEN.

I have examined House Bill No. 348, introduced by Cavan and find the same to be correct.

CAVAN.

I have examined House Bill No. 407, introduced by Glancy et al and find the same to be correct.

GLANCY.

I have examined House Bill No. 434, introduced by McGaffick et al and find the same to be correct.

McGAFFICK.

I have examined Sub. House Bill No. 92, introduced by the Committee on Public Health, Safety and Morals and find the same to be correct.

MORRISON, Chairman.

I have examined Sub. House Bill No. 72, introduced by the Committee on Printing and find the same to be correct.

ABEL, Chairman.

The Speaker signed the following House Bills in open session, the titles having first been read: Sub. House Bills Nos. 72 and 92, House Bills Nos. 407, 434, 187, 348 and 120.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 479, 359, 267, 431, 119, 370, 432, 459, 433, 476, 489, 89, 87, 113, 361, 144, 364, 367, 430, 402, 90, 141, 329, 504, 518, 511 and Sub. House Bill 260, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:40 o'clock a.m., delivered to the Governor for his approval.

JARDINE, Chairman.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a

Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 530 be amended in the title by adding after the last words thereof the following: "and providing for an effective date";

And as amended, do pass.

That House Bill No. 533 be placed at the bottom of the list.

That House Bill No. 542 be placed next to the bottom of the list.

That House Bill No. 539 be amended in section 2 by striking out in line 15, page 2 of the printed bill (being lines 29 and 30, page 3 of the original bill) the words and figures: "Operation, six thousand seven hundred fourteen dollars, \$6,714.00" and inserting in lieu thereof the words and figures: "Operation, three thousand two hundred fourteen dollars, \$3,214.00";

Be further amended in section 3 by striking out in line 15, page 12 of the printed bill (being lines 14 and 15, page 19 of the original bill) the words and figures: "Operation, six thousand seven hundred fourteen dollars, \$6,714.00" and inserting in lieu thereof the words and figures: "Operation, three thousand two hundred fourteen dollars.....\$3,214.00";

And as amended, do pass.

That Sub. House Bill No. 525 do pass.

That House Bill No. 541 do pass.

EMMONS, Chairman.

Report adopted.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Committee directed to investigate the Montana Pardons and Parole Board, do hereby make the following report. This committee was appointed by the Honorable Speaker of the House on January 12, 1959, the members of which are as follows:

P. J. Gilfeather, Chairman,
Duane Rindy,
Leslie Eskildsen,
William J. Glancy,
Jerome Anderson,
James F. Battin.

The Montana State Pardons and Parole Board came into existence by virtue of chapter 153, Laws of Montana, 1955 (sections 94-9821 et al) and said board has been operating for approximately three and one-half years. Your committee realizing, that the subject of this investigation covered activities of a social nature and dealt with professional workers, secured the services of one Joseph Rowan, a person trained in the field under consideration, in order to secure witnesses to be brought before the committee who could give us the necessary information in making this investigation. The committee also before taking any testimony had an informal meeting with the entire Pardons and Parole Board.

After informal investigation on the part of the various committee

members, the committee took the sworn testimony of the entire staff, including the director and three field men. The Honorable Judge Fall of the First Judicial District testified. The board was again called into a meeting at which the discussion between the committee and the board was taken and transcribed. Information was also secured from out of state sources in connection with various personnel of the board. The committee also authorized various committee members and Mr. Rowan to visit the board office at Deer Lodge and the prison. Representative Rindy was the only board member able to avail himself of this part of the investigation. Because of bad road conditions, he took House member Francis Bardanouve with him on this trip.

As a result of the investigations made, testimony taken, and material secured, this committee hereby makes the following findings of fact and recommendations:

I

FINDINGS OF FACT

A. Board

That the present board is made up of apparently capable and sincere members attempting to carry out the intent of the act and although there might be some criticism of the board as to practices at times in the past, particularly in connection with important papers being entrusted to employees, which condition we were assured no longer exists, the board seems to be sincerely trying to carry out the intent and purposes of the act.

We find from the act and the board, that the board members are paid on a basis of \$15.00 per day and expenses, and have set up their work on a two-day per month basis, nearly all of which time is spent in reviewing applications for pardons and paroles with little or no time spent in supervising the work or actions of the staff. We find the board is doing a very good job as to such pardons and paroles considering the time spent and no fault was found as to their sincerity in such matters.

B. Director

The present and only director under this program is and has been Mr. Benjamin Wright, who was hired as such director soon after the program was inaugurated. Mr. Wright is trained and experienced in penal and parole work, and was of great assistance to the board in setting up the mechanical operations of the program. However, we find that the board has had considerable trouble with Mr. Wright in regard to operations, and have seen fit to curb his activities to such an extent that the position is not being fully utilized. We further find that Mr. Wright has a great deal of professional and personal difficulty with people working for and in connection with him, in fact to such an extent that it is a detriment to the program and has and is affecting the morale, and quality of the work being performed, not only by himself but the staff as well. We feel Mr. Wright is not taking full advantage of the ability of the staff and particularly in training and coordinating the staff and although he seems to have the necessary training for the program and to set up a working program, he does not have the personality to carry the program out. We find that the difficulty between the director and the staff has become so acute that the same cannot be satisfactorily remedied by any further direction of the board.

C. Staff

We find that Mr. Mandelko, Mr. McConnell, field members and Mr. Moore, institutional parole officer are all capable, conscientious and sincere employees performing exceptional service in their fields, however, their case loads are so large particularly in the field that they are unable to perform the service expected of them by the courts and peace officers of the state.

A transcript of all testimony together with a copy of all other material considered by the committee is filed herewith.

II

RECOMMENDATIONS

1. That there be a full time board member at a reasonable and adequate salary.
2. That Mr. Wright be replaced as director by a man better able to carry out the program.
3. That the board be given at least five additional field personnel.

Respectfully submitted,
GILFEATHER,
GLANCY,
RINDY,
ESKILDSEN,
ANDERSON,
BATTIN.

Motion was made by Gilfeather for adoption of the committee report. Motion carried. Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the Speaker appoint a Conference Committee of three members to confer with a like committee from the Senate on House amendments to Senate Bill No. 76, as requested by the Senate. Motion carried.

Motion was made by Cerovski that the Speaker appoint a Conference Committee of three members to confer with a like committee from the Senate on House amendments to Senate Bill No. 168, as requested by the Senate. Motion carried.

Motion was made by Cerovski that the Speaker appoint a Conference Committee of three members to confer with a like committee from the Senate on House amendments to Senate Bill No. 169, as requested by the Senate. Motion carried.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker made the following Conference Committee appointments:

To confer on House amendments to Senate Bill No. 76: Picard, Gill and Fladager.

To confer on House amendments to Senate Bill No. 169: Parker, Nees, Wright.

To confer on House amendments to Senate Bill No. 168: McGarvey, Emmons, Broeder.

Motion was made by Cerovski that the House recess until 1:15 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Highways and Highway Transportation, having had under consideration Senate Sub. for House Bill No. 107, respectfully report as follows: That Senate Sub. for House Bill No. 107 be concurred in.

WOOD, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bills Nos. 526, 530, 539 and H. B. No. 541 and Sub. H. B. 525 considered correctly engrossed.

PARKER, Chairman.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That consideration of House Bill No. 528 be passed temporarily.

That Senate Bill No. 118 be referred to the Committee on Rules.

EMMONS, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times at length, title and history agreed to, were disposed of in the following manner:

Sub. House Bill No. 525 was passed by the following vote:

Ayes: Anderson, Babcock, Bardanouve, Barnard, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, Daniels, Devier, Fjare, Fladager, Gerard, Gilfeather, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Holecek, Howard, Jensen, Karlberg, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, Morrison, Nelstead, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 54.

Noes: Abel, Angstman, Barnes, Bashor, Cerovski, Emmons, Eskildsen, Felt, Gill, Hanks, Holding, Kolar, McGarvey, McNally, McOmber, Moudree, Nees, Nichols, Parker, Picard, Powers, Raundal, Reeder, Sheldon, Strnisha, Wayrynen. Total 26.

Absent and not voting: Aasheim, Barrett, DeWolfe, Elting, Hawks, Healy, Higham, Holtz, Jardine, Kiff, Page (Granite), Shea, Tonner. Total 13.

Excused: Mernin. Total 1.

House Bill No. 526 was passed by the following vote:

Ayes: Anderson, Angstman, Babcock, Barnard, Barnes, Battin, Bentz, Broeder, Casey, Cavan, Curry, Daniels, Devier, Emmons, Felt, Gerard, Gil-

feather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Healy, Howard, Jensen, Kolar, Lees, Leuthold, Loman, McGaffick, McGarvey, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Paulsen, Regan, Reinecke, Rindy, Sales, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Wright, Mr. Speaker. Total 52.

Noes: Abel, Bardanouve, Bashor, Cerovski, Clowes, Corcoran, DeWolfe, Elting, Fjare, Fladager, Glancy, Hanks, Holding, Holecek, Jardine, Karlberg, Kvaalen, Langston, McNally, Nees, Parker, Picard, Powers, Raundal, Reeder, Schwinden, Wayrynen, Woodring, Wold. Total 29.

Absent and not voting: Aasheim, Barrett, Bradford, Eskildsen, Hawks, Higham, Holtz, Kiff, Loughran, Page (Granite), Powell, Shea. Total 12.

Excused: Mernin. Total 1.

House Bill No. 530 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Howard, Jardine, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Paulsen, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: Devier, Wayrynen. Total 2.

Absent and not voting: Aasheim, Barrett, Fjare, Hawks, Higham, Holtz, Kiff, Nichols, Page (Granite), Parker, Picard, Raundal, Shea. Total 13.

Excused: Mernin. Total 1.

House Bill No. 539 was passed by the following vote:

Ayes: Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Broeder, Casey, Cerovski, Clowes, Curry, Daniels, Devier, Emmons, Eskildsen, Fladager, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Howard, Jensen, Karlberg, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Rindy, Sales, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 70.

Noes: Anderson, Babcock, Battin, Bradford, Cavan, Corcoran, DeWolfe, Elting, Felt, Fjare, Gerard, Gleed, Reinecke, Wright. Total 14.

Absent and not voting: Aasheim, Hawks, Higham, Holtz, Jardine, Kiff, Nichols, Page (Granite), Shea. Total 9.

Excused: Mernin. Total 1.

House Bill No. 541 was passed by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson,

Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Howard, Jensen, Karlberg, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Regan, Reinecke, Rindy, Sales, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: Kvaalen. Total 1.

Absent and not voting: Aasheim, Bardanouve, Hawks, Higham, Holtz, Jardine, Kiff, McGarvey, McOmber, Nichols, Page (Granite), Reeder, Schwinden, Shea. Total 14.

Excused: Mernin. Total 1.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Emmons of Deer Lodge in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 528 be amended in section 4 by inserting in line 9 of page 18 of the original bill (being line 153 of page 12 of the printed bill) after the words and figures: "thirty-five thousand dollars, \$35,000.00" the following words and figures: "For Northern Montana College for matching federal funds made available pursuant to title VIII of the National Defense Education Act for use as vocational education services, twenty thousand one hundred ninety-seven dollars, \$20,197.00. Any and all unexpended funds as of June 30, 1959, are hereby re-appropriated for the ensuing biennium for vocational education services.";

Be further amended by adding a new section designated as section 7 after line 6, page 20 of the original bill to read as follows: "Section 7. The appropriations herein above provided for shall be deemed and held valid notwithstanding the provisions of the budget act.";

And as amended, that House Bill No. 528 do pass.

That Senate Bill No. 121 be amended in section 1, line 20 of the original bill (being line 5 of the printed bill) after the word "power" and before the word "such" by striking the word "over" and inserting in lieu thereof, the word "under";

Be further amended in section 1, line 23 of the original bill (being line 7 of the printed bill) by inserting a comma after the word "thereof" and deleting after the word "salaries" the word "not" and in line 24 of the original bill (line 8 of the printed bill) by changing the word "provided" to "unprovided";

And as amended, that Senate Bill No. 121 be concurred in.

That Senate amendments to House Bill No. 29 be not concurred in, but that a conference committee of three members be appointed from the House and a like committee requested from the Senate.

That Senate amendments to Sub House Bill No. 15 be not concurred in, but that a conference committee of three members be appointed from the House and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 171 be concurred in.

That Senate Amendments to House Bill No. 358 be concurred in.

That Senate Amendments to House Bill No. 32 be concurred in.

That Senate Amendments to House Bill No. 167 be concurred in.

That Senate Amendments to House Bill No. 168 be concurred in.

That Senate Amendments to House Bill No. 290 be concurred in.

That Senate Amendments to House Bill No. 293 be concurred in.

That Senate Amendments to Sub. House Bill No. 455 be not concurred in, but that a conference committee of three members be appointed from the House and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 254 be concurred in.

That Senate Amendments to House Bill No. 170 be not concurred in, but that a conference committee of three members be appointed from the House and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 424 be not concurred in, but that a conference committee of three members be appointed from the House and a like committee requested from the senate.

That Senate Amendments to House Bill No. 44 be concurred in.

That Senate Amendments to House Bill No. 103 be concurred in.

That Senate Amendments to House Bill No. 157 be concurred in.

That Senate Amendments to House Bill No. 314 be concurred in.

That Senate Amendments to House Bill No. 248 be concurred in.

That Senate Amendments to House Bill No. 249 be concurred in.

That Senate Amendments to House Bill No. 415 be concurred in.

That Senate Amendments to Sub. House Bill No. 53 be concurred in.

That Senate Amendments to House Bill No. 346 be concurred in.

That Senate Amendments to House Bill No. 412 be concurred in.

That Senate Amendments to House Bill No. 437 be not concurred in, but that a conference committee of three members be appointed from the House and a like committee requested from the senate.

That Senate Amendments to House Bill No. 317 be concurred in.

That Senate Amendments to House Bill No. 118 be concurred in.

That Senate Amendments to House Bill No. 448 be concurred in.

That Senate Amendments to House Bill No. 34 be placed at the bottom of the list.

That Senate Amendments to House Bill No. 177 be concurred in.

That Senate Amendments to House Bill No. 215 be concurred in.

That Senate Amendments to House Bill No. 237 be concurred in.

That Senate Amendments to Sub. House Bill No. 80 be concurred in.

That Senate Amendments to House Bill No. 221 be concurred in.

That Senate Amendments to House Bill No. 242 be concurred in.

That Senate Amendments to Sub. House Bill No. 305 be concurred in.

That Senate Amendments to House Bill No. 50 be concurred in.

That Senate Amendments to House Bill No. 255 be not concurred in, but that a conference committee of three members be appointed from the House and a like committee requested from the Senate.

That Senate Amendments to House Bill No. 155 be concurred in.

That Senate Amendments to House Bill No. 232 be concurred in.

That Senate Amendments to House Bill No. 192 be concurred in.

That Senate Amendments to House Bill No. 208 be concurred in.

That Senate Sub. for House Bill No. 31 be concurred in.

That Senate Sub. for Sub. House Bill No. 312 be concurred in.

That House Bill No. 542 be amended in the title by inserting in line 9 of page 1 of the printed bill after the word "insurer" the words "with exceptions"; and by further amending the title of H. B. 542 by striking in line 12 of page 1 of the printed bill the words "providing for cancellation of policies and return of unearned premiums";

Be further amended in section 1 by inserting in line 6 of page 1 of the printed bill after the words "legislative assembly" the following words: "from the general fund and such special income funds as it may designate";

Be further amended in section 2 by inserting in line 1 of page 1 of the printed bill after the word "all" the words "state owned" and by further amending section 2 by striking out in line 4 of page 2 of the printed bill the words "flood and water damage" and inserting in lieu thereof the words "riot, riot attending a strike, civil commotion, aircraft, vehicles and smoke damage";

Be further amended in section 4 by striking out in line 2 of page 2 of the printed bill the words "and also other public buildings in the state not enumerated in this act" and by further amending section 4 by inserting a "," after the word "municipalities" in line 5 of page 2 of the printed bill and striking the words "shall not be included in this act, nor shall" and by further amending section 4 in line 3 of page 2 of the printed bill after the word "buildings" by inserting the words "and the state owned contents and inventories of buildings leased by the State of Montana"; and by further amending section 4 in line 6 of page 2 of the printed bill by striking the "," after the word "interest" and inserting in lieu the word "and" and by striking the words "or other items" and by amending section 4 in line 7 of page 2 of the printed bill by striking the words "be included in this act" and inserting the following " , and liquor inventories of the State of Montana shall not be included in this act";

Be further amended in section 7 by striking out in line 3 of page 3 of the printed bill all other words after the word "insurer" and by further striking all of line 4 and inserting in lieu thereof the following: " , except that the State Board of Examiners may insure such state owned buildings financed by self-liquidating bond issues, loans, or debentures, as required by such bond issues, loans or debentures, and objects of historical interest and art. Provided further that the State Board of Examiners is hereby authorized to enter into any contract of insurance with commercial insurers with the State of Montana assuming the first twenty-five thousand dollars (\$25,000) loss on any unit. The Montana State Liquor Control Board is authorized to enter into such insurance contracts with commercial insurers for the purpose of insuring any stock or stocks of liquor in the State of Montana.";

That House Bill No. 542 be further amended by striking out sections

10 and 11 in their entirety. And by further amending by renumbering section 12, section 13, and section 14;

By further amending section 12 (formerly section 14) in line 1 of page 4 of the printed bill, by striking out the word "deemed";

And as amended, that House Bill No. 542 do pass.

That House Bill No. 533 do pass.

That Senate Sub. for House Bill No. 107 be concurred in.

That Senate Amendments to House Bill No. 34 be concurred in.

EMMONS, Chairman.

Report adopted.

The Speaker signed the following Senate Bills, the titles having first been read: Senate Bill No. 112.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 120, 407, 434, 348, 187, Sub. 72 and Sub. 92, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:00 o'clock p.m., delivered to the Governor for his approval.

JARDINE, Chairman.

CONFERENCE COMMITTEE APPOINTMENTS

The Speaker made the following Conference Committee appointments:

To confer with the Senate committee on Senate Amendments to House Bill No. 170: McGarvey, Shelden (Lincoln) and Walton.

To confer with the Senate committee on Senate Amendments to House Bill No. 255: Barrett, Aasheim, Leuthold.

To confer with the Senate committee on Senate Sub. to Sub. House Bill No. 426: Bardanouve, Gill, Leuthold.

To confer with the Senate committee on Senate Amendments to House Bill No. 29: Sheehy, Jardine, Paulsen.

To confer with the Senate committee on Senate Amendments to Sub. House Bill No. 15: Lees, Wold, Kvaalen.

To confer with the Senate committee on Senate Amendments to Sub. House Bill No. 455: Bardanouve, Raundal, Nichols.

To confer with the Senate committee on Senate Amendments to House Bill No. 424: McOmber, Haines (Missoula), Page (Granite).

To confer with the Senate committee on Senate Amendments to House Bill No. 437: McGarvey, Jardine, Battin.

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Investigating Committee of the State Fish and Game Department do hereby make the following report:

(Motion was made by Jensen that the committee report be considered read in full, and that the Journal so show. Motion carried).

This committee came into being on January 8, 1959. That motion provided for an investigation committee to investigate the Fish and Game Department. It provided the committee with staff, quarters, and all necessary aid for studying the problems; all items of expense; and that the

Sergeant at Arms of this House of Representatives, by authority and direction, pay all expenses incurred by the membership of said committee upon presentation to the said Sergeant at Arms of proper vouchers signed by the chairman of said committee. The members of the committee appointed to serve were as follows: Arthur N. Jensen, chairman; John C. Sheehy, vice-chairman; Henry L. Gill, John J. Cavan, Jr., Harold L. Paulsen, and J. F. Holecek.

I. THE COMMITTEE

The first meeting of your committee was called on January 8, 1959, by Chairman Jensen. At that time an informal discussion ensued relative to the extent of the committee's authoritative powers to investigate the State Fish and Game and the various matters to be covered by such an investigation. It was decided that the committee would examine the minutes of the Fish and Game Commission from the last four years; send out letters requesting information, to interested citizens and sportsmen's organizations; hold several public hearings; and examine under oath various personnel within the commission and the department. Pursuant to this meeting, the committee set January 22, 1959, in Helena; February 9, 1959, in Missoula, and February 10, 1959, in Billings, as the dates for the public hearings. A letter was mailed out on January 17, 1959, to about 125 sportsmen and sportsmen's organizations inviting them to one or more of the public hearings to be held by the committee.

II. COMMENTS RECEIVED

Your committee received about two hundred letters from citizens and sportsmen's organizations. These letters both praise and criticize the department and commission. An example of a letter of praise is the following telegram which states: "We wish to compliment the Fish and Game Commission and Department on the past years work. We especially like the land acquisition program being carried on to the fullest extent." Examples of the complaints received are as follows:

1. "Planting of fish in beaver dams which are not easily accessible to the public because of the objections of the landowner to the public fishing on his land. In effect it becomes a private fishing area stocked by fish from public and federal funds."

2. "Planting of pheasants on the same tract of private land year after year about a month before the opening of pheasant season. A few days before the season opens the land is posted. At twelve noon when the season opens, a state fish and game commissioner, immediate relatives, and friends are the only ones allowed on the land to hunt the pheasants that have been planted by utilizing funds of hunting licenses. We maintain this is wrong and unfair."

3. "Planting of mountain sheep without first attempting to get easements of landowners, concerned or even consulting them regarding the plant. By these actions, much good will that has been built up between the rancher and sportsmen was partially destroyed. Prior plants had been carried out with the prescribed procedure which was mutually agreeable."

4. "Refusal to provide an elk hunting season on Bull Mountain when according to recommendations of technicians employed by the department, it was justified from a good game management standpoint."

5. "Interference with trained technical personnel of the department by pressures. Such practice makes it impossible for these men to do justice to their job."

6. "Continuing closure of grouse hunting in Jefferson County when it is open and has been open in surrounding counties for years. This has been done in spite of the fact that we think there are as many grouse here as in other areas."

7. "Arbitrary action on the part of certain commission members in spite of the recommendations of sportsmen and their own personnel whose training and experience should be considered."

8. Issuance by the department of antelope permits to out-of-state hunters after turning down the applications of resident hunters.

9. Failure or refusal of the commission to answer letters of inquiry by sportsmen's organizations within the State of Montana.

10. Failure of the commission to listen to local sportsmen's clubs' recommendations on length of season and number of kills. (At the Missoula public hearing many citizens testified that the present long season and two-deer season is depleting the game herds to a dangerously low level and that this fact has been brought to the attention of the commission).

III. FINDINGS

A. Fish and Game Organization

The Montana Fish and Game Department is organized under a five-man commission appointed by the Governor. This commission has full and final authority over all matters of policy, procedure, and administration with the department. The commission hires the director of the department who, in turn, hires, with the approval of the commission, all subordinate employees. The director has five departments within his state organization; supervisor of fisheries, supervisor of law enforcement, supervisor of game management, director of information and education, and director of administration. The director is also the administrative supervisor of the seven fish and game districts within the state. Each district has a warden supervisor and a game manager. Because of the structure of the water sheds within the State of Montana, there are only five district fisheries' managers. Testimony received by our committee from employees of the department and individual commissioners indicates that policy decisions regarding seasons, numbers to be killed, and the areas to be opened are made by the commission. It was stated that the usual procedure is for the district personnel to make recommendations regarding these matters; these recommendations are then forwarded to the state office where they are concurred in or modified to fit the overall state pattern; the recommendations are then brought to the Fish and Game Commission where the commissioners either concur in or further modify the field recommendations as they see fit. It was very difficult to determine from an examination of the department and from the testimony received where the responsibility lies for the seasons and numbers to be killed. It is to be noted that the present system, whereby the employees of the department are hired by the director with the approval of the commission and the director is hired by the commission, places the professional employees of the department in a precarious position when defending field recommendations to the commission or commissioners.

During the investigation your committee interrogated a number of Fish and Game personnel. In commenting on their testimony, your committee would like to point out that although the personnel cooperated fully with your committee, it was apparent to your committee that they were reluctant to volunteer any information which might be adverse to the commission or department. Your committee feels that this reluctance was a natural reaction on the part of the employees and was not based upon any threats made to them by department heads or the commission. Nonetheless, this reluctance somewhat hampered your committee in obtaining a true picture of the department operation. Your committee also wishes to point out that throughout this investigation we found no evidence whatever of any fraudulent practice or misappropriation of state property or funds on the part of anyone connected with the Fish and Game Department or Commission.

B. Deficiencies in Commissioner Type Organization

Based upon the minutes of the Montana Fish and Game Commission examined by your committee, the letters received from various clubs all over the State of Montana, the hearings held by the committee, and the witnesses examined by your committee, we have concluded that the commissioner type of department administration found in the Fish and Game Department wherein the state is divided into certain districts and one commissioner appointed from each district has inherently certain defects which we will hereinafter set forth.

Your committee feels that the evidence before it substantiates the conclusion that this system encourages the following deficiencies within the commission itself and results in the following deficiencies in the departmental operation.

1. Deficiencies in the Commission.

(a) The system encourages individual commissioners to interfere in personnel problems in a local area because of his personal interest in that particular area.

(b) The system encourages individual commissioners to interfere in their district and in local areas within their district in carrying out of department policies within the district and at times encourages the commissioners individually to depart from department policy because of purely local considerations.

(c) Your committee has found that in the practical operation of the commission, it has tended to permit excessive influence to be exerted upon it by individual commissioners where matters concerning their area are under consideration.

(d) Your committee has found that the system encourages the commissioners to support projects in each other's districts in return for like support of other projects which may or may not be in the best interests of the Fish and Game Department as a whole.

(e) The system encourages unhealthy and inefficient competition for advantages to individual districts in matters of department policy.

2. Resulting Deficiencies.

(a) The interference of the commission in personnel problems has resulted in an unsatisfactory personnel relationship. It was the feeling of your committee that personnel within the department are or have been at times confused between their responsibilities to their department heads, responsibilities to the commission as a whole, and responsibilities to individual commissioners. Your committee's conclusions in this already have been substantiated by the recent action of the commission in adopting as their policy the resolution to refrain from interfering in department personnel affairs in the future.

(b) Interference with policy recommendations by the department with reference to setting of seasons both as to time and duration, bag limits, and other related matters with resultant ill effects on personnel morale, and perhaps more important, upon public relations. In this connection, your committee would like to point out that the majority of the public complaints dealt in some manner with the setting of seasons and bag limits and with the arbitrary changing of such seasons and the failure of the commission to follow recommendations of local organization as well as professional department personnel. Your committee wishes to emphasize that it does not intend, by this criticism, to imply that the recommendations of the individual sportsmen, sportsman's organization, or the professional department personnel should always be blindly followed. However, the evidence seems to indicate that in more instances than are desirable or justifiable,

individual commissioners have substituted their individual judgment as against these recommendations in matters affecting their districts with resulting poor personnel and public relations.

(c) The evidence indicated to your committee that the commissioner system and the broad powers invested in the commission has resulted in individual commissioners at times departing from department policy with reference to land acquisition and planting of fish, game, and game birds.

By way of illustration or example, and without attempting to detail herein all of the evidence which has compelled your committee to the foregoing conclusions, we would like to set forth at this point some of the instances upon which we have based such conclusions:

(1) The recent closure on November 24, 1958, of the Yellowstone River to shooting and hunting of migratory water fowl. In this instance the commission, by its actions on November 18, 1958, closed the Yellowstone River from the Big Horn Bridge to the Forsyth Bridge to shooting and hunting of migratory water fowl. The minutes of the commission and the testimony of the witnesses, R. D. Shipley and Walter Everin, (see exhibit A) indicated conclusively that at the time the closure was made, it was made at the insistence of one commissioner upon recommendation of one rod and gun club, without any department investigation and in face of a statutory provision known to the commission and to the individual commissioner that twenty days notice of such a closing was required.

This committee believes that the evidence of the foregoing illustration fully substantiates the conclusion that the commission is subject to undue influence from commission members and in a fashion arbitrary in nature and without regard for statutory authority.

(2) The Beaver Creek Fish Pond and the Miles City Fish Pond—In the case of the Beaver Creek fish pond which was a project to establish a pond in the Havre area containing some thirty-five acres of water, the minutes of the commission and the testimony of witnesses reflect that after preliminary investigation, the cost of such project was deemed to be excessive by the department personnel who suggested to the commission that the money could be better spent on other statewide projects. Nonetheless, the commission continued with the project and in face of refusal of the Federal Fish and Wildlife Service to permit the expenditure of federal monies on the project, finally let the contract on September 15, 1958, for \$123,000.00 to be paid for entirely from state funds.

The Miles City project was originally to provide a fish pond for Miles City to be seven acres in extent and surplus water from the federal fish hatchery was to supply the pond. The project was subsequently extended to twenty acres and the contract was let at an original cost of \$40,000.00. Subsequently, contracts had to be let for gravelling, totalling some \$4,000.00 and it now appears that there is serious question as to whether or not the water will be available at all.

In connection with these fish ponds, your committee would like to point out that the evidence indicates that they seem to be prompted and motivated by considerations other than good fish and game conservation practices and without adequate study or consultation with competent fish and game personnel and without any professional determination, even at the time of submitting this report, as to what type of fish may be satisfactorily propagated in these ponds or even whether or not any fish at all can be propagated in these ponds.

(3) The Boyd Opheim Case—In this case the evidence and the commission minutes (see exhibit A) indicate that the commission, without adequate investigation, discharged Boyd Opheim from his employment as fisheries biologist. The evidence further substantiates that the then director made a full investigation of the case and advised the commission of the

result of his investigation and recommended to the commission that they reconsider their action but in spite of these recommendations, refused to reconsider with the resulting expenses of legal procedures, embarrassment to the commission, and further deterioration in public and personnel relations.

It is the feeling of the committee that the Opheim case was the result of commission action based upon personal prejudice and not upon consideration of the facts at their disposal.

(4) Fish, Game and Bird Plants—Evidence received by your committee indicates clearly that although the department has a policy with reference to fish, game and bird plants, that this policy is frequently departed from at the request of individual commissioners (see exhibit A). The evidence indicates that those commissioners who are most aggressively interested in their districts can obtain, by request, plants of fish, game or birds without regard to any overall planting program.

In making the foregoing criticisms, your committee does not wish to imply that the evidence received by it indicates that the commission or any individual commissioner has been motivated by any desire for personal gain in any actions that may have been taken. On the contrary, it is the feeling of your committee that the motives of the commissioners for all of their actions have been motivated by sincere, though some times misguided, desire to do their best for the welfare of the Fish and Game Department. Nevertheless, this committee feels that these criticisms are justified and are inherent in our commissioner system, particularly when coupled with the powers that the commission enjoys under our statutes.

C. Public Relations.

We, your committee, have found that the Fish and Game Department is sadly deficient in the area of public relations. As previously stated, we have had several complaints from people who did not receive answers from letters of inquiry written to the commission or department. We have had numerous complaints from sportsmen and hunters regarding the practice of the commission or department to change the hunting dates, hunting area or numbers of game to be killed at the last minute. At the Billings public hearing many sportsmen testified that they felt the last minute change of the grouse season was unwarranted and unnecessary and extremely confusing. At all of our public hearings we discovered a great lack of communication between the department and the local sportsmen's clubs. At the Missoula public hearing several people testified that they felt the biologists working for the department were a waste of time. Our findings would indicate that this form of testimony arises because the department fails to acquaint the sportsmen with the reasons for the policies.

D. Land Acquisition.

The committee investigated the policy of the Fish and Game Commission respecting purchasing of private lands for department purposes. A cursory examination of the cost of lands recently acquired was made.

Land acquisition by the commission is necessary for a variety of reasons. Obviously, it must have headquarter buildings located in various parts of the state. Purchases for administrative purposes are therefore needed. It must also own the lands upon which are located fish ponds, hatcheries, game farms, and other similar department activities. The commission has also adopted a policy of purchasing lands for big game management. Tracts of land for this purpose must be large in area. Big game winter feeding grounds, for example, relieve considerably the pressure upon surrounding agricultural lands and help preserve big game for the good of the state and all concerned.

Another important facet of land acquisition is the purchase of access lands to insure public entry to fishing and hunting areas. The committee

agrees that this type of acquisition is increasingly necessary with the growth of our population and in the face of the undisputed right of private landowners to post their lands against trespassing. Efforts on the part of the commission to acquire, for the public good, entry sites for sportsmen must be commended. We feel that the program must go forward now since the land is likely to become more expensive, rather than cheaper, in the future.

With regard to the costs of land already acquired, it seemed to the committee that in some instances the prices paid were high. We recognize, however, that the state, as a purchaser, is not in the same bargaining position as a private buyer. The committee, therefore, has no adverse comment on the purchase price paid and we feel that the commission has done as well as could be expected in this matter.

We would urge that the commission continue to pursue its present policy of not seeking condemnation of lands the commission feels it must have for any of its purposes.

The policy of the commission, as reflected in its minutes with respect to land acquisition, which policy is supported in principle, is as follows:

"It shall be the policy of the Montana Fish and Game Commission to acquire such lands as the department needs for:

- (1) Administrative sites.
- (2) Waterfowl management areas and winter game ranges.
- (3) Public access sites.
- (4) Fish hatchery and game farm sites.

1. Land for offices, warehouses, checking stations, and field personnel stations shall constitute administrative sites. The purpose of these sites shall be to provide service to the public or facilitate greater efficiency in department operations.

2. The purpose of waterfowl management areas shall be to provide waterfowl hunting for the public. These areas shall also, in most cases, provide nesting, feeding, and resting areas for waterfowl. The purpose of big game winter ranges shall be: (a) to alleviate competition between big game and livestock on private lands; (b) to provide big game with a winter forage supply; and (c) to stabilize the numbers in major elk herds in accordance with multiple land use principals. Only limited forage areas essential to these primary purposes will be maintained as big game winter range. Where high-value agricultural lands, not essential to these objectives, are included in an acquisition they will be disposed of through adjacent landholders.

3. Land which provides fishermen and hunter's access to lakes, streams or hunting areas shall constitute public access sites. The purpose of such sites shall be to provide sportsmen with places to hunt and fish.

4. The purpose of land for fish hatcheries, fish ponds, and bird farms shall be to propagate fish and birds for management programs."

The Fish and Game Department has adopted a policy of paying monies to those counties where it has acquired lands, the monies being in lieu of taxes that would have been paid by private owners. We felt that our committee did not have the time or the manpower to examine this subject extensively and we make no comment regarding the policy, nor the sufficiency or insufficiency of the lieu payments.

IV. RECOMMENDATIONS

We, your special investigating committee, make the following recom-

mendations with the request that this report and the file of this committee be given to the Legislative Council for further study and consideration. If, after further study by the council, it is their opinion that these recommendations warrant further action, then we recommend that suitable legislation be drafted for the next Legislative Assembly.

1. We recommend that the organization of the Fish and Game Department be reorganized to give the office of the departmental director more authority over departmental affairs.

2. We recommend that the director be appointed by the Governor, removable for cause, rather than employed by the commission.

3. We recommend that the state statutes which give the commissioners the power to hire and fire be changed to give this power to the office of the director.

4. We recommend that the statutes of this state that give the commission the power to set seasons and numbers of game to be taken, etc., be changed to give this power to the office of the director.

5. We recommend that the commission continue as an administrative body to represent the people of the state in an advisory capacity with the following powers:

- (a) To serve as a policy reviewing body.
- (b) To review, approve, and control budget.
- (c) To review, approve, and control land acquisition.
- (d) To serve as a personnel review and appeal board.

6. We recommend that a policy be written into law that will provide an employee subject to discharge with a right to have his case heard by both the director and commissioners and a right to be represented by counsel or a person of his choice, and only when the commission concurs in the order of discharge shall it be effective.

7. We recommend that the commissioners have the power to approve or disapprove expenditures by the department.

8. We recommend that the department give more attention to its information and educational section so that the sportsman public will be better acquainted with the reasons for departmental policy.

9. We recommend that the interest of the farmer and rancher be given fair consideration, particularly in cases where game animals overrun agricultural lands.

10. We recommend that before making any new plans for establishing fish ponds that the following procedure should be observed:

There should be a full investigation by the department's trained personnel as to advisability of the fish pond project, its feasibility and the estimated cost of the project and the proposed benefit from it.

The commission should reserve unto itself the decision as to whether or not the fish pond should be instituted, whether the cost can be accomplished within its budget and when the project should be instituted.

In no case except for the most grave reasons should the commission override the decision of the trained professional personnel of the department as to the advisability of the project.

We, your Special Investigating Committee of the State Fish and Game

Department, do hereby respectfully submit the foregoing report to the House of Representatives.

JENSEN, Chairman,
SHEEHY, Vice-Chairman,
GILL,
CAVAN,
PAULSEN,
HOLECEK.

(Exhibit A to the above report is on file in the office of the Secretary of State).

Motion was made by Jensen that the Committee report be adopted. Motion carried. Report adopted.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Appropriations, having had under consideration House Bill No. 543, respectfully report as follows: That House Bill No. 543 do pass.

McOMBER, Vice-Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Irrigation and Water Conservation, having had under consideration Senate Sub. for House Bill No. 381, respectfully report as follows: That Senate Sub. for House Bill No. 381 be concurred in.

McOMBER, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

Hon. John J. MacDonald,
Speaker of the House of Representatives,
Helena, Montana.
Hon. Paul Cannon,
President of the Senate,
Helena, Montana.

Sirs:

I am herewith returning Sub. House Bill 228 without my approval for the following reasons:

1. Taxes have a bad habit of always returning to plague the consumer. This so-called weight-distance tax bill is a tiger that has not changed its stripes. Like other taxes, it will ultimately hit the consumer. This factor, alone, might not be objectionable, if the money extracted from the consumer did the job he wants done. However, Sub. H. B. 228 hits the consumer below the belt by failing to contribute a sufficient amount toward more and better Montana highways. There is a middleman in the form of administrative costs that skims off any cream, leaving the consumer of Montana in the position of paying more taxes but not getting sufficiently more and better highways for his increased tax load. It is a simple case of the price being too high for the goods which are offered. Any housewife can tell you the answer to that problem is "no."

2. The price of such basic commodities as milk and bread might easily be increased. This is certainly no boon to the "little man" or his children. Estimates in the dairy industry show that the tax rate on trucks owned by various creameries will be two and three times as high as the present GVW tax. In one case it will be four times as high. It is logical to believe that

some of this will be passed on to the consumers of milk, cheese and ice cream, and this is only one example.

3. Sub H. B. 228 has been hailed by its creators as a fair and equitable tax bill. If this is true, why are there so many exemptions? Certainly everyone in any industry, truckers not excepted, should want to be covered by a fair and equitable tax bill. Yet only one truck in 25 is covered by this bill. The remaining 96 percent is composed of such exemptions as logging and farm trucks. On this latter category there is some doubt whether this is a firm exemption or not. Nevertheless, it is strange that such supposed equity should be allowed to so few members of any industry.

4. The so-called weight distance tax is a mystery of administration. No one can be 100 percent correct in predicting its operation. However, it is definitely true that a great number of factors complicate its administration. Throughout Sub. H. B. 228 important determinations as to its application are left to the administrative judgment of the State Highway Department. This opens the possibility of different rules under every different Highway Commission. It certainly leaves any commission and department wide open to pressure tactics. This is not sound tax administration policy.

5. There is a distinct possibility that Montana could lose a million dollars in fuel tax revenue, now collected from out-of-state truckers. This would be due to bypassing of Montana, if such legislation becomes law. North Dakota had such an experience following the passage of such a bill in 1957. In addition to the revenue loss, which would mean fewer miles of good roads, bypassing of Montana by out-of-state truckers would shift the burden of highway costs to the automobile owner. Here again the "little man" would get hurt the most. The "little man" in the small town would get hurt even more, as 38 percent of the small towns in Montana depend solely on motor carrier transportation.

6. The total revenue which this proposal would bring in for Montana highway construction could be less than under the present GVW tax law. The maximum possible revenue estimated by the State Highway Department is less than 300 thousand dollars higher than the present law. However, this estimate fails to take into consideration such money-eating items as constructing and/or refurbishing the ports of entry stations and the manpower necessary to operate such stations on a 24-hour-a-day basis. The cost of training these men and setting up a new special division must also be considered. The new provision for quarterly fee payments may well result in a reduction in the flat fee receipts. The Highway Department maximum estimate does not have any positive data on possible evasion. Neither does it include more than a rough estimate of the revenue from certain lumber, ore, sand and gravel trucks, as well as those vehicles which travel at least half of the time without a load. Finally, this estimate is based on the assumption that the present truck travel pattern in Montana will be maintained. This is extremely doubtful. In view of these many factors, it is easy to see why there is good reason to suspect that revenue under this new tax might be less than at present, which is certainly not the way to build more and better highways for Montana.

7. The entire network of reciprocity which Montana has built up might be thrown into turmoil by approval of Sub. H. B. 228. Retaliatory taxes and restrictions would harass Montana trucks and truckers. The net result would be increased costs of transportation. Evidently this was also in the minds of South Dakota Legislators, who killed a similar measure Monday in committee.

8. Such an act as this would seriously jeopardize Montana's position as the gateway to Alaska. We are fortunate in having the Alcan highway linking us to our newest state. It is logical that such a tax will cut traffic on this link, directly affecting many Montana communities. The same effect would be true in the case of Alberta truckers. This would be a

blow to the excellent relations which have been built up with our sister province. In addition, such a tax might foreclose any future possibility of a highway linking eastern Montana and Saskatchewan. We do not now have reciprocity with that province, but eventual construction of such a highway is desired by most eastern Montanans. There would be much less necessity for such a highway, if this new tax prevented adequate reciprocal agreements. This could easily happen. It is a future possibility, but we must not be blind to progress.

9. This so-called weight distance tax is not really based on weight, but upon capacity. In other words, a truck that is partly filled pays the same tax as one which is fully loaded. This tax is not based upon the ability to pay, and the tax has no relation to money actually earned or to pay load actually carried. In my State of the State Message, I supported "equitably increased tax collections from trucks." This bill does not meet these qualifications.

10. Three of Montana's most valued products are wheat, cattle and oil. We are an exporting state, and these products must be moved to market. Most of this movement is eastward. Yet Sub. H. B. 228 would create a trade barrier to the east. Montana would be cutting off its nose to spite its face.

11. This proposed law is a detriment to the working man and woman in Montana. Any law which will hurt a specific industry, cause unemployment of persons in that industry, decrease revenues, cut down on money and business cannot help labor.

12. Our counties will suffer a loss of about \$50,000 in revenue that they can ill afford under Sub. H. B. 228. This is due to a change whereby counties would get none of the mileage tax.

13. As Governor, every piece of legislation which has come to my desk has been judged on the basis of what is best for the State of Montana and its citizens. This so-called weight distance tax will result in poor transportation facilities for Montana. It will result in higher freight rates at a time when our potentialities require cheaper transportation. This, plus the many other reasons I have already mentioned, can only result in a serious blow to the economy of Montana.

In conclusion, this proposal affects the lives of consumers, businessmen, laboring people and, in effect, nearly all Montanans. The overwhelming evidence against such a proposal leaves me no alternative but to reject it, solely on its lack of merits. I sincerely hope you will view other highway legislation on its merits.

For these reasons I hereby return Sub. H. B. 228 without my approval.

Very truly yours,

J. HUGO ARONSON, Governor.

Motion was made by Wood that Sub. House Bill No. 228 become law notwithstanding the veto of the Governor. Wood requested a Call of the House and asked for seconds. There being a sufficient number of seconds the Speaker ordered a Call of the House. Upon completion of roll call, progress being reported, Wood moved that the Call of the House be dispensed with. Motion carried. Motion by Wood, requiring a two-third vote of those present to carry, failed as follows:

Ayes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Curry, Daniels, Devier, Emmons, Eskildsen, Gilfeather, Gill, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Kiff, Langston, McGarvey, McNally, McOmber, Moudree, Nees, Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwin-

den, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 50.

Noes: Anderson, Angstman, Babcock, Bashor, Battin, Bentz, Broeder, Cavan, Corcoran, DeWolfe, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, Morrison, Nelstead, Page (Granite), Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Walton, Wright. Total 39.

Absent and not voting: Glancy. Total 1.

Excused: Clowes, Mernin, Nichols, Shea. Total 4.

March 3, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Conference Committees:

To confer on Senate Amendments to House Bills Nos. 307, 303 and 315: Manning, chairman, Ruane and Brenner.

To confer on House Amendments to Senate Bill No. 76: Hofland, chairman, McKenna (Judith Basin), and Streeter.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 3, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills, House Joint Resolutions and House Joint Memorial were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 93 by Elting et al.

House Bill No. 273 by Sheldon (Flathead) et al.

House Bill No. 439 by Daniels.

Substitute House Bill No. 297 by Committee on Ways and Means.

House Bill No. 360 by Devier et al.

House Bill No. 302 by Jardine, Daniels.

Substitute House Bill No. 201 by Committee on Privileges and Elections.

House Bill No. 259 by Jardine, McGarvey.

House Bill No. 85 by Sheehy et al.

House Bill No. 416 by McGarvey et al.

House Bill No. 191 by Sheehy et al.

House Bill No. 376 by Committee on State Lands, Forests and Parks.

House Bill No. 194 by McGarvey.

House Joint Resolution No. 3 by Leuthold et al.

House Joint Resolution No. 4 by Devier et al.

House Joint Memorial No. 5 by Jardine et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

Cerovski requested the unanimous consent of the House to suspend the rules for introduction of House Bill No. 544. There being no objection, the bill was introduced.

INTRODUCTION OF BILLS

The following bill was introduced, read first and second times, and referred to the Committee on Ways and Means:

House Bill No. 544, introduced by Cerovski, MacDonald, Gerard and Anderson: A bill for an act entitled: "An act to provide for a system of dissemination to the public of proceedings of the Legislature, namely status sheets, status of proceedings, mimeographed bills, printed bills, and amendments to printed bills; to provide for a schedule of fees to be paid by persons requesting and receiving such items; excluding representatives of the press, radio, and television, elected officials, state department heads and county clerks and recorders from the payment of fees, and providing they shall receive one copy of all such items free of charge; providing an effective date and repealing all acts and parts of acts in conflict herewith."

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bill correctly engrossed: House Bill No. 528.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Wednesday, March 4, 1959. Motion carried.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

FIFTY-NINTH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 4, 1959

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Picard, who was excused.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-eighth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 382, 522 and 484.

I have examined House Bill No. 484, introduced by me and find the same to be correct.

ANDERSON.

I have examined House Bill No. 382, introduced by Sheehy and Battin, and find the same to be correct.

SHEEHY.

I have examined House Bill No. 522, introduced by the Committee on Appropriations, and find the same to be correct.

BARNARD, Chairman.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 484, 382, 522.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, having had under consideration a point of order on Senate Bill No. 118, as to whether said bill was an appropriation bill and violated the Constitution by being introduced in the Senate, respectfully report as follows: That Senate Bill No. 118 was properly introduced.

CEROVSKI, Chairman.

Report adopted.

MESSAGE FROM THE GOVERNOR

March 3, 1959.

Hon. Paul Cannon,
President of the Senate,
Helena, Montana.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
Helena, Montana.

Sirs:

I am herewith returning Senate Joint Resolution No. 4 without my approval for the following reasons:

A sound, comprehensive education, with the accent on learning to think rather than to merely 'parrot,' is essential to the United States of America as we know it. Our schools rank along with home and church as a bulwark against the forces that are forever seeking to destroy our republic and its free enterprise economy.

In view of the extreme importance of education to our nation, it is obvious that those at the state and local levels are most aware of the quality of education being given our youth. This is particularly true at the local level, since parents and others who deal with them every day know our youngsters best.

Federal aid to education will only result in taking more and more control away from the state and local levels. There are those who will say that certain pieces of legislation guarantee that control remains at home. This is a fallacy, since the federal government always sets up certain standards for states to meet. This is the right of the federal government, if we allow our tax dollars to be taken to that level and then returned, minus a substantial tithe. Each standard, no matter how innocent it sounds, is another delegation of power to the federal government, at the expense of the state and local governments.

Much has been said about standards of education. This must be of greatest concern at the state and local level. The same applies to teachers' salaries. If both standards and salaries are low, then the state and/or community will slip behind its neighbors in many respects. No state or

community can afford to let this happen for very long. Therefore, the best remedy for either low standards or salaries lies at the local and state levels.

Federal aid may sound like a 'get rick quick' panacea for all educational problems. However, one must remember that federal aid dollars still come from the same taxpayers as other tax dollars. There is no hidden mother lode. In the long run, it is far cheaper for all concerned to pay taxes at home to operate a sound educational system than it is to send them elsewhere, only to find out later that you have lost control of your educational system and your tax dollars have had a tariff extracted from them.

There is an added objection to the endorsement of this specific federal aid to education measure, which is now before Congress. At a time when a balanced budget is certainly needed, this particular piece of legislation endorsed by this resolution is one of the most costly before Congress. If approved, it could easily prove to be a champion budget-buster. The estimated cost is 11.4 billion dollars over four years.

If the money is available for federal aid, then it is available at the local and/or state levels for education. Let us take care of this major function ourselves. The only federal aid needed is for its proponents to support a return of some tax sources to the state and/or local levels.

For these reasons I am returning Senate Joint Resolution 4 without my approval.

Very truly yours,
J. HUGO ARONSON, Governor.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the veto message on Senate Joint Resolution No. 4 be referred to a joint rules committee. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting.

Barrett of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Sub. for House Bill No. 381 be concurred in.

That further consideration of Senate Amendments to House Bill No. 301 be indefinitely postponed.

BARRETT, Chairman.

Motion was made by Barrett for adoption of the Committee report.

Substitute motion was made by Gerard that Senate Amendments to House Bill No. 301 be segregated from the Committee report. Gerard requested a Call of the House, and a roll call vote to be spread on the Journal. There being a sufficient number of seconds, the Speaker ordered a Call of the House. Upon completion of roll call, progress having been reported, Gerard moved that the Call of the House be dispensed with. Motion carried. Gerard's substitute motion for segregation failed to carry as follows:

Ayes: Anderson, Angstman, Babcock, Bashor, Battin, Bentz, Broeder, Cavan, Clowes, Corcoran, Curry, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, Morrison, Nelstead, Page (Missoula), Paulsen, Regan, Reinecke, Sales, Shea, Walton, Wright. Total 38.

Noes: Aasheim, Abel, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gilfeather, Gill, Glancy, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Jensen, Karlberg, Kiff, Kolar, Langston, McGarvey, McNally, McOmber, Mernin, Moudree, Nees, Nichols, Parker, Powell, Powers, Raundal, Reeder, Rindy, Schwinden, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 54.

Absent and not voting: Page (Granite). Total 1.

Excused: Picard. Total 1.

Barrett's motion for adoption of the Committee report carried. Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Wood that the House reconsider its previous action in indefinitely postponing further action on Senate Amendments to House Bill No. 301.

Substitute motion was made by Schwinden that the motion by Wood be laid on the table. Motion carried.

The following resolution was introduced:

House Resolution No. 8, introduced by Gill, Strnisha, Jensen, Wold, Shelden, Tonner, Harball, Holding, Gunderson, Karlberg, Wayrynen, Holtz and Gilfeather: A Resolution of the House of Representatives of the State of Montana to the President of the United States, Dwight D. Eisenhower; the Congress of the United States; James E. Murray and Mike Mansfield, Senators from the State of Montana; Lee Metcalf and LeRoy Anderson, Representatives in Congress from the State of Montana; the Committee on Public Works of the United States Senate; the Committee on Public Works of the United States House of Representatives; the Committee on Appropriations of the United States Senate; the Committee on Appropriations of the United States House of Representatives; the Secretary of the Army, Wilber M. Brucker; the Chief of the Corps of Engineers, Department of the Army, Major General E. C. Itschner; and the Director of the Budget, Maurice H. Stans; requesting the introduction and enactment into law of the necessary and proper legislation to authorize construction by the federal government of the Paradise Dam on the Clark Fork River in the State of Montana and authorize sufficient appropriations for the detailed planning and construction of the Paradise Dam.

Whereas, the Paradise Dam site located in Sanders County in western Montana on the Clark Fork River four miles below its confluence with the Flathead River near the town of Plains, Montana, is one of the best remaining undeveloped hydroelectric and storage sites in the Upper Columbia Basin; and

Whereas, the extensive studies and reports of the United States Corps of Army Engineers show an ultimate installed generating capacity of 1,008,000 kilowatts of electrical power and a storage capacity of more than four million acre feet; and

Whereas, the studies of the Corps of United States Army Engineers shows that no alternative plans equal Paradise in the amount of electrical

energy to be produced or in storage capacity and that Paradise offers much greater benefit and less detriment to western Montana than any alternative plans thus far presented; and

Whereas, bills to authorize construction of Paradise Dam have been drafted and have been subject to close scrutiny by the people of the affected areas and such draft proposals have included specific provisions for the relief of personal hardship which may result from re-location of people in the flooded area and for payment in lieu of any taxes now being received which may be lost to local governments as a result of the construction of Paradise Dam; and

Whereas, expansion of industry in western Montana has been stalemated since the construction of Hungry Horse Dam, and will remain stalemated until we go forward with the construction of Paradise and other dams on the Upper Columbia; and

Whereas, because of the detailed studies already made of the Paradise Dam site, an early start could be made on its construction once the project is authorized and appropriations made; and

Whereas, construction of Paradise Dam would give an immediate and substantial stimulus to business in western Montana and the whole northwest and great permanent benefit to all areas of Montana and the northwest in the development of industry, reclamation of arid lands, control of floods, protection of forest lands and recreation areas, development of fish and wildlife resources and generally in making for a more abundant life for all of the people of the northwest,

Now, Therefore, be it resolved by the House of Representatives of the State of Montana, that the representatives of the State of Montana in the Congress of the United States be urged and requested to introduce and the Congress of the United States be urged and requested to enact into law necessary and proper legislation to authorize construction by the federal government of the Paradise Dam on the Clark Fork River in the State of Montana and to authorize that sufficient appropriations be provided for the detailed planning and construction of the Paradise Dam;

And be it Further Resolved, that such legislation include a reservation of hydroelectric power to be used within the State of Montana;

And be it Further Resolved, that copies of this resolution be submitted by the secretary of the State of Montana to each of the individuals and to the chairmen of each of the committees named in the title of this resolution and also to the presiding officers of both Houses of the Congress of the United States, Richard M. Nixon, and Sam E. Rayburn.

Motion was made by Gill that the resolution be adopted. Motion carried. Resolution adopted.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 259, 480, 416, 338, 360, 302, 335, 273 and Sub. 78.

I have examined House Bill No. 338 introduced by Kvaalen, Nelstead, and find the same to be correct.

KVAALEN.

I have examined House Bill No. 273, introduced by Sheldon et al and find the same to be correct.

SHELDON.

I have examined House Bill No. 335, introduced by DeWolfe et al and find the same to be correct.

DeWOLFE.

I have examined Sub. House Bill No. 78, introduced by the Committee on Public Health, Morals and Safety and find the same to be correct.

MORRISON, Chairman.

I have examined House Bill No. 302, introduced by Jardine and Daniels and find the same to be correct.

JARDINE.

I have examined House Bill No. 259, introduced by Jardine, McGarvey, and find the same to be correct.

JARDINE.

I have examined House Bill No. 360, introduced by Devier et al and find the same to be correct.

DEVIER.

I have examined House Bill No. 480, introduced by McGarvey, Paulsen, and find the same to be correct.

McGARVEY.

I have examined House Bill No. 416, introduced by McGarvey et al and find the same to be correct.

McGARVEY.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 480, 416, 338, 360, 302, 335, 273, 259 and Sub. 78.

THIRD READING OF SENATE BILLS

The following bill, having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 121 was concurred in by the following vote:

Ayes: Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, Elting, Emmons, Eskildsen, Fjare, Fladager, Gill, Glancy, Gleed, Haines (Missoula), Harball, Hawks, Healy, Holding, Holtz, Howard, Jardine, Karlberg, Kolar, Kvaalen, Lees, Leuthold, Loman, McGarvey, McNally, Mernin, Morrison, Page (Missoula), Parker, Paulsen, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Sheldon, Tonner, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 61.

Noes: Angstman, Felt, Haines (Prairie), Hanks, Kiff, Moudree, Sales. Total 7.

Absent and not voting: Aasheim, Anderson, Corcoran, DeWolfe, Gerard, Gilfeather, Gunderson, Higham, Holecek, Jensen, Langston, Loughran, McGaffick, McOmber, Nees, Nelstead, Nichols, Page (Granite), Powers, Shea, Sheehy, Shelden, Strnisha, Walton, Wayrynen. Total 25.

Excused: Picard. Total 1.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriation measure at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 528 was passed by the following vote:

Ayes: Abel, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bradford,

Broeder, Casey, Clowes, Curry, Daniels, Devier, Emmons, Eskildsen, Fladager, Gill, Glancy, Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kvaalen, Lees, Leuthold, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Regan, Rindy, Schwinden, Shea, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 58.

Noes: Anderson, Angstman, Babcock, Battin, Bentz, Cavan, Elting, Felt, Fjare, Gerard, Gleed, Haines (Prairie), Hawks, Kiff, Kolar, Loman, Powell, Reinecke, Sales, Wright. Total 20.

Absent and not voting: Aasheim, Cerovski, Corcoran, DeWolfe, Gilfeather, Gunderson, Holecek, Langston, McGaffick, Nees, Nelstead, Nichols, Page (Granite), Sheehy, Shelden. Total 15.

Excused: Picard. Total 1.

Senate Amendments to House Bill No. 171 were concurred in by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Bashor, Battin, Bradford, Broeder, Casey, Cavan, Clowes, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, Mernin, Morrison, Nelstead, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Woodring, Wold, Mr. Speaker. Total 76.

Noes: Barnes, Bentz, Elting, Moudree, Wright. Total 5.

Paired: Picard, aye; Wood, no.

Absent and not voting: Aasheim, Cerovski, Corcoran, Gilfeather, Karlberg, McGaffick, McOmber, Nees, Nichols, Page (Granite), Rindy. Total 11.

Excused: None.

Senate Amendments to Substitute House Bill No. 358 were concurred in by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kolar, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, Mernin, Morrison, Nelstead, Page (Missoula), Parker, Paulsen, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: Cavan, Moudree, Kiff. Total 3.

Absent and not voting: Aasheim, Barnard, Corcoran, Gilfeather, Holecek, Kvaalen, McGaffick, McOmber, Nees, Nichols, Page (Granite), Raundal. Total 12.

Excused: Picard. Total 1.

Senate Amendments to House Bill No. 32 were concurred in by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, Mernin, Morrison, Moudree, Nelstead, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Aasheim, Barrett, Corcoran, Gilfeather, McGaffick, McOmber, Nees, Nichols, Page (Granite). Total 9.

Excused: Picard. Total 1.

Senate Amendments to House Bill No. 167 were concurred in by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 82.

Noes: Jardine. Total 1.

Absent and not voting: Aasheim, Corcoran, Daniels, Gilfeather, Langston, McGaffick, McOmber, Nichols, Page (Granite), Schwinden. Total 10.

Excused: Picard. Total 1.

Senate Amendments to House Bill No. 168 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 84.

Noes: Jardine. Total 1.

Absent and not voting: Corcoran, Daniels, Gilfeather, Holecek, McGaffick, McOmber, Nichols, Page (Granite). Total 8.

Excused: Picard. Total 1.

Senate Amendments to House Bill No. 290 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Corcoran, Daniels, Gilfeather, Holecek, McGaffick, McOmber, Nichols, Page (Granite). Total 8.

Excused: Picard. Total 1.

Senate Amendments to Sub. House Bill No. 293 were concurred by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Powell, Powers, Regan, Rindy, Schwinden, Shea, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 80.

Noes: Angstman, Fladager, Jardine, Raundal, Reinecke. Total 5.

Absent and not voting: Gilfeather, Holecek, McGaffick, Nichols, Page (Granite), Reeder, Sales, Shelden. Total 8.

Excused: Picard. Total 1.

Senate Amendments to House Bill No. 254 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 83.

Noes: Jardine, Moudree. Total 2.

Absent and not voting: Gilfeather, Holecek, McGaffick, Nichols, Page (Granite), Raundal, Sales, Shelden. Total 8.

Excused: Picard. Total 1.

Senate Amendments to House Bill No. 44 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Gilfeather, Holecek, McGaffick, Nichols, Page (Granite), Sales. Total 6.

Excused: Picard. Total 1.

Senate Amendments to House Bill No. 103 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 86.

Noes: None.

Absent and not voting: Gilfeather, Hanks, Hawks, Holecek, McGaffick, Nichols, Sales. Total 7.

Excused: Picard. Total 1.

Senate Amendments to House Bill No. 157 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 85.

Noes: None.

Absent and not voting: Barnes, Gilfeather, Holecek, McGaffick, Nichols, Sales, Sheldon, Walton. Total 8.

Excused: Picard. Total 1.

Senate Amendments to House Bill No. 314 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Granite), Paulsen, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 80.

Noes: Fladager, Jardine, Page (Missoula), Raundal, Schwinden. Total 5.

Absent and not voting: Angstman, Gilfeather, Holecek, Loughran, McGaffick, Nichols, Parker, Sales. Total 8.

Excused: Picard. Total 1.

Senate Amendments to House Bill No. 248 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Gilfeather, Holecek, McGaffick, Nees, Parker, Sales. Total 6.

Excused: Picard. Total 1.

Senate Amendments to House Bill No. 249 were concurred in by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, Mernin, Morrison, Nichols, Page (Granite), Page (Missoula), Paulsen, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 80.

Noes: Abel, Moudree, Nelstead, Raundal, Schwinden. Total 5.

Absent and not voting: Gilfeather, Hawks, Holecek, Loughran, McOmber, Nees, Parker, Sales. Total 8.

Excused: Picard. Total 1.

Senate Amendments to House Bill No. 415 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 87.

Noes: None.

Absent and not voting: Gilfeather, Holecek, Loughran, Nees, Parker, Sales. Total 6.

Excused: Picard. Total 1.

Senate Amendments to Sub. House Bill No. 53 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 86.

Noes: None.

Absent and not voting: Gilfeather, Hanks, Holecek, McGarvey, Powell, Sales, Sheldon. Total 7.

Excused: Picard. Total 1.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 543, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

Motion was made by Cerovski that the House recess until 1:30 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed. Mr. Speaker in the Chair.

THIRD READING OF HOUSE BILLS

The following amendments having been read, were disposed of in the following manner:

Senate Amendments to House Bill No. 346 were concurred in by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Corcoran, Curry, Daniels, DeWolfe, Eskildsen, Fjare, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, McGarvey, McNally, McOmber, Morrison, Moudree, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Reeder, Regan, Reinecke, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Mr. Speaker. Total 67.

Noes: Elting, Fladager, Raundal. Total 3.

Absent and not voting: Aasheim, Barnard, Casey, Clowes, Devier, Emmons, Felt, Gilfeather, Hawks, Holecek, Jardine, Jensen, Loman, Loughran, McGaffick, Mernin, Nees, Nelstead, Rindy, Schwinden, Wayrynen, Wright. Total 22.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 412 were concurred in by the following vote:

Ayes: Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Eskildsen, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Reeder, Regan, Reinecke, Sales, Shea, Sheehy, Shelden, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Mr. Speaker. Total 71.

Noes: None.

Absent and not voting: Aasheim, Abel, Barnard, Casey, Emmons, Felt, Gilfeather, Hanks, Hawks, Jardine, Loman, Loughran, McGaffick, Mernin, Nelstead, Raundal, Rindy, Schwinden, Sheldon, Wayrynen, Wright. Total 21.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 317 were concurred in by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Eskildsen, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, McGarvey, McNally, McOmber, Morrison, Nees, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Mr. Speaker. Total 70.

Noes: Elting, Holecek, Moudree. Total 3.

Absent and not voting: Aasheim, Angstman, Barnard, Casey, Emmons, Felt, Gilfeather, Hanks, Hawks, Jardine, Loman, Loughran, McGaffick, Mernin, Nelstead, Rindy, Schwinden, Wayrynen, Wright. Total 19.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 118 were concurred in by the following vote:

Ayes: Anderson, Angstman, Babcock, Bardanouve, Barrett, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Corcoran, Curry, Devier, Elting, Fjare, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Healy, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, McGarvey, McNally, Morrison, Moudree, Nichols, Page (Missoula), Parker, Paulsen, Raundal, Reeder, Reinecke, Sales, Shea, Sheehy, Shelden, Strnisha, Walton, Wood, Woodring, Wold, Mr. Speaker. Total 58.

Noes: Abel, Barnes, Eskildsen, Fladager, Hanks, Harball, Holding, McOmber, Nees, Powell, Powers, Sheldon, Tonner. Total 13.

Absent and not voting: Aasheim, Barnard, Casey, Clowes, Daniels, DeWolfe, Emmons, Felt, Gilfeather, Hawks, Jardine, Loman, Loughran, McGaffick, Mernin, Nelstead, Regan, Rindy, Schwinden, Wayrynen, Wright. Total 21.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 448 were concurred in by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Eskildsen, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Haines (Prairie), Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, McGarvey, McNally, Morrison, Nees, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Mr. Speaker. Total 73.

Noes: None.

Absent and not voting: Aasheim, Barnard, Emmons, Felt, Gilfeather, Hanks, Hawks, Jardine, Jensen, Loman, Loughran, McGaffick, McOmber, Mernin, Moudree, Nelstead, Rindy, Schwinden, Wayrynen. Total 19.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 177 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, DeWolfe, Elting, Eskildsen, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, McGarvey, McNally, McOmber, Nees, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 73.

Noes: None.

Absent and not voting: Barnard, Daniels, Devier, Emmons, Felt, Gilfeather, Hawks, Jardine, Loman, Loughran, McGaffick, Mernin, Morrison, Moudree, Nelstead, Rindy, Schwinden, Wayrynen, Wold. Total 19.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 215 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, Devier, DeWolfe, Elting, Eskildsen, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McOmber, Moudree, Nees, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Sales, Shea, Sheehy, Shelden, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 73.

Noes: Healy. Total 1.

Absent and not voting: Barnard, Bradford, Corcoran, Emmons, Felt, Gilfeather, Hawks, Jardine, Loughran, McGaffick, McNally, Mernin, Morrison, Nelstead, Rindy, Schwinden, Sheldon, Wayrynen. Total 18.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 237 were concurred in by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Daniels, Devier, DeWolfe, Eskildsen, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Morrison, Nees, Nichols, Page (Missoula), Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Shea, Sheehy, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 71.

Noes: None.

Absent and not voting: Anderson, Barnard, Clowes, Corcoran, Elting, Emmons, Felt, Gilfeather, Hawks, Holecek, Jardine, Loughran, McGaffick, Mernin, Moudree, Nelstead, Parker, Rindy, Sales, Schwinden, Shelden. Total 21.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to Sub. House Bill No. 80 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Eskildsen, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Morrison, Nees, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 75.

Noes: None.

Absent and not voting: Elting, Emmons, Felt, Gilfeather, Gunderson, Hawks, Holtz, Jardine, Jensen, Loughran, McGaffick, Mernin, Moudree, Nelstead, Rindy, Sales, Schwinden. Total 17.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 221 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Gerard, Gill, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nichols, Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Regan, Reinecke, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 74.

Noes: None.

Absent and not voting: Barnard, Battin, Elting, Felt, Fladager, Gilfeather, Glancy, Gunderson, Hawks, Jardine, Jensen, McGaffick, Mernin, Nelstead, Powell, Rindy, Sales, Schwinden. Total 18.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 242 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Gerard, Gill, Glancy, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Nees, Nichols, Page (Missoula), Parker, Paulsen, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 79.

Noes: Powell. Total 1.

Absent and not voting: Barnard, Felt, Fladager, Gilfeather, Gunderson, Hawks, Jardine, McGaffick, Mernin, Moudree, Nelstead, Schwinden. Total 12.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to Sub. House Bill No. 305 were concurred in by the following vote:

Ayes: Abel, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Nees, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 74.

Noes: Aasheim, Bradford, Moudree. Total 3.

Absent and not voting: Anderson, Barrett, Casey, Felt, Gilfeather, Gunderson, Hawks, Holding, Jardine, McGaffick, Mernin, Nelstead, Nichols, Sales, Schwinden. Total 15.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 50 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Fladager, Gerard, Gill, Glancy, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McNally, McOmber, Morrison, Moudree, Nees, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Clowes, Felt, Gilfeather, Gleed, Gunderson, Hawks, Karlberg, Loughran, McGaffick, McGarvey, Nelstead, Schwinden, Mernin. Total 13.

Excused: Page (Granite), Picard. Total 2.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Education, having had under consideration House Memorial No. 5, respectfully report as follows: That House Memorial No. 5 become a House Resolution, numbered 9, and as so amended, be adopted.

BARRETT, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 544, respectfully report as follows: That House Bill No. 544 do pass.

EMMONS, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Cerovski moved for a Special Order of Business at this time for the purpose of hearing the report of the Necrology Committee. Motion carried.

SPECIAL ORDER OF BUSINESS

Special Order of Business having been set for this time, the following report of the Committee on Necrology was presented to the House with appropriate ceremonies.

HOUSE MEMORIAL—IN MEMORIAM

The Lord is my light and my salvation; whom shall I fear? The Lord is the strength of my life; of whom shall I be afraid?

Though an host should encamp against me, my heart shall not fear; though war should rise against me, in this will I be confident.

For in the time of trouble He shall hide me in His pavilion: in the secret of His tabernacle shall He hide; He shall set me up upon a rock.

Teach me thy way, O Lord, and lead me in a plain path.

I had fainted, unless I had believed to see the goodness of the Lord in the land of the living.

Wait on the Lord: be of good courage, and He shall strengthen thine heart: wait, I say, on the Lord.

The Lord is my shepherd; I shall not want.

He maketh me to lie down in green pastures: He leadeth me beside the still waters.

He restoreth my soul: He leadeth me in the paths of righteousness for His name's sake.

Yea, though I walk through the valley of the shadow of death, I will fear no evil: for Thou art with me; thy rod and thy staff they comfort me.

Thou preparest a table before me in the presence of mine enemies: Thou anointest my head with oil; my cup runneth over.

Surely goodness and mercy shall follow me all the days of my life: and I will dwell in the house of the Lord forever.

Psalm 27: 1, 3, 5, 11, 13, 14. Psalm 23: 1-6.

Read by Chaplain Paul E. Caskey.

BEYOND THE SUNSET

Sacred Solo.....Harold Paulsen

We pause today in the midst of our busy activity to remember and honor the memory of the departed members of this Legislative body. We share our sorrow with that of their loved ones who remain, but through the mists of our sorrow we are grateful and thankful for the memories that remain to remind us of their labors, their devotion and their service in behalf of us, and the people of the State of Montana. As they have been called from our midst, we are reminded of the words of the poet:

"There is no death. An angel form
Walks o'er the earth in silent tread,
And takes our best loved things away.
And then we call them dead."

(Author unknown).

With their going, they have joined the innumerable caravan, and their deeds do live after them. We owe much to them for their labor of love and their faithful service. We can never hope to repay or express our gratitude for their contribution to the society in which they lived and moved.

Let us this day give our tribute to these whom we honor by highly resolving to rededicate ourselves to keep alive and perpetuate the great work and example of service which they so proudly practiced in their lives.

Life is real. Life is earnest.
And the grave is not its goal;
Dust thou art, to dust returnest,
Was not spoken of the soul.

Lives of great men all remind us
We can make our lives sublime,
And departing, leave behind us
Footprints on the sands of time.

Let us, then, be up and doing,
With a heart for any fate;
Still achieving, still pursuing,
Learn to labor and to wait.

(Longfellow)

Let us, today find strength and courage in prayerful remembrance of the courageous work of those who served before us. Our work, as theirs, has an Eternal Goal.

"So live that when thy summons comes to join
The innumerable caravan, which moves
To that mysterious realm, where each shall take
His chamber in the silent halls of death,
Thou go not, like the quarry-slave at night,
Scourged to his dungeon, but sustained and soothed
By an unfaltering trust, approach the grave
Like one who wraps the drapery of his couch
About him, and lies down to pleasant dreams."

(William Cullen Bryant)

Whereas, certain members of the former sessions of the Montana Legislature have been called from their earthly labors by reason of death, and

Whereas, the members of the House of Representatives of this Thirty-sixth Legislative Assembly desire to pause in their deliberations to recognize and pay homage to these distinguished citizens of our state,

Now, Therefore, Be It Resolved, that the members of the House of Representatives of this Thirty-sixth Legislative Assembly, by means of this Resolution, do signify our regret of their passing and extend to their bereaved families our sincere sympathy and condolences; and

Be It Further Resolved, that suitable Memorials be forwarded to the widows, or families, of the deceased members and that this Memorial be spread upon the Journal of the House:

READING OF OBITUARIES

L. W. CLARK

L. W. Clark, 79, of Fromberg, former Wheatland County Sheriff and State Legislator, died January 28, 1959.

He had lived in Fromberg since 1944, when he retired from a ranch near Fromberg.

Mr. Clark was born September 16, 1879, at LaPorte, Iowa. He was married to Marie Olson, November 8, 1905, at Esterville, Iowa, and moved to Montana in 1913.

Mr. Clark was sheriff of Wheatland County from 1919 to 1939, and served in the State House of Representatives in the 1939 session.

He was a member of the Fromberg Methodist Church and Masonic Lodge.

Surviving are the widow; one son, Robert Clark, Big Timber; three sisters, Mrs. Nellie Hull, Mrs. R. B. Tripp, LaPorte City, Iowa, Mrs. Lurah Perkins, Superior, Iowa, and two grandchildren.

ROBERT A. EMMONS

Robert A. Emmons, widely known Butte resident for many years, died March 6, 1958. A former member of the House in the Montana State Legislature, he was widely known in Montana. Mr. Emmons was elected on the Democratic ticket from Deer Lodge County in 1935. He was a native of Anaconda where he attended local schools and graduated from Anaconda High School. His parents were the late Mr. and Mrs. Robert Emmons, early-day residents of the Smelter City. Bob Emmons was an all-around star athlete in his youth and actively backed sports in his later years. He

was a football player in high school and was a member and manager of the well known Anode football team of the Butte-Anaconda Independent league. He was also a member of Anode baseball teams in the old Mines league and managed and played on some of Anaconda's top hockey teams. Later he was an umpire in the Butte Copper League. Mr. Emmons was an army veteran of World War I. He was employed at the smelters in Anaconda for some time on research work, at one time was a field agent for the Montana Public Service and Railroad Commission and later was a representative of the Department of Commerce in Montana.

He served two years as a railway postal clerk on the Butte-Miles City run and then became a clerk in the Butte postoffice.

Mr. Emmons is survived by his wife; a daughter, Jacqueline; brothers and sisters-in-law, Mr. and Mrs. John Emmons of Anaconda, the former a member of the House of Representatives from Deer Lodge County; James of Anaconda, a well known sports official; Mr. and Mrs. Walter Emmons of San Francisco, and Milton of New York City; brothers-in-law and sisters, Mr. and Mrs. A. L. Salomonsen of Anaconda; Major and Mrs. Robert Smith of Florida; and a number of nieces and nephews, including Mr. Robert Emmons, assistant attorney general.

FRANK J. FINNEGAN

Frank J. Finnegan, 60, Anaconda postmaster for 19 years and a resident of the Smelter City nearly all of his life, died in November of 1956.

Mr. Finnegan was born in Leadville, Colorado, April 2, 1896, and came to Anaconda the same year with his parents.

After attending local schools he was employed as a printer by the Anaconda Standard for 23 years before being appointed postmaster in October, 1937. One of his first duties as postmaster was to welcome Postmaster General James Farley to Anaconda on October 13, 1937.

Long identified with the Democratic party in Deer Lodge County, Mr. Finnegan served one term as a State Legislator and two terms as an alderman in the city council from the Third Ward. He also was a former trustee of the School Board of District No. 10.

Mr. Finnegan was active in the Anaconda Typographical Union before becoming postmaster and represented the union at five international conferences and several state and northwest conferences. He was a former secretary-treasurer and former president of the Montana Typographical Conference.

He was a member of the Montana Postmasters Ass'n., and editor of its journal. He also was a member of St. Paul Church, American Legion Post No. 21, of Anaconda, Elks Lodge No. 239, the Central High School Round Table, 40 and 8, and was former secretary-treasurer of the National Foundation for Infantile Paralysis.

He served with the army in 1918 during World War I.

Surviving relatives include his wife, Mrs. Margaret Finnegan; brothers-in-law and sisters, Mr. and Mrs. E. J. McCarthy and Mr. and Mrs. Thomas J. Roe; sister-in-law, Mrs. P. J. Finnegan, all of Anaconda, and several nieces and nephews.

ALBERT J. FOUSEK

Albert J. Fousek, 89, who served as mayor of Great Falls for five terms, died July 6, 1958, at his home in Great Falls, following an extended illness.

He was born November 27, 1868, in Austria-Hungary. His parents

emigrated for America in 1873, lived in New York City for a few years and then moved to Olivia, Minnesota.

Mr. Fousek went to St. Paul as a youth and apprenticed to the cigar maker's trade. He worked for several years for Emmett Race of Great Falls, then bought out Race's cigar factory. He traveled by horse and buggy to all the nearby towns to sell the cigars he made.

He was elected alderman of the third ward in 1904, and was re-elected in 1906, 1908, 1910, 1912, and 1914. In the fall of 1914, he was elected to the State Legislature and sponsored Montana's present Absent Voter Law during the 14th Legislative Session.

He was elected mayor of Great Falls in the spring of 1915 on the Democratic ticket, and was re-elected in 1917, 1929, 1931 and 1933. During his first term as mayor, the water filtration plant was built.

He married Anna Havelicek at Montgomery, Minnesota. She died in 1954. Three daughters and three sons survive Mr. Fousek. They are: Mrs. Mayme Kurtz, Great Falls; Mrs. Lydia Boyle, Fort Benton; Blanche Fousek, Riverton, Wyoming; Albert E., member of the Cascade County Board of Commissioners; Louis R., a rancher; and Benjamin A., accountant for the Anaconda Wire and Cable Company, Great Falls.

C. O. (KELLY) HANSEN

C. O. (Kelly) Hansen, 44, died in Billings, December 4, 1958.

He was born May 16, 1914, in Armstead, a son of Mr. and Mrs. Carl C. Hansen.

After graduation from Montana State College in 1937 he became agricultural agent in Gallatin County and later in Meagher County. From 1942 to 1945 he operated a stock ranch near White Sulphur Springs and from 1944 to 1948 he was secretary of the Montana Woolgrowers Association.

He came to Billings in 1948 and served Yellowstone County as a Representative in the State Legislature from 1953 to 1955. In 1954 he moved to Bozeman to become Montana Administrator of the Farm Home Administration. He continued in that capacity until 1956 when he returned to Billings.

He was a member of the Congregational Church, the Masonic Lodge in Helena and of Al Bedoo Shrine Temple in Billings.

Mr. Hansen is survived by his widow, two sons, William and Jody, all of Billings; a brother, Chris Hansen of Anchorage, Alaska, and two sisters, Mrs. Alice Orr of Red Lodge and Mrs. H. C. Palmer of Dillon.

HARMON H. HESS

State Representative Harmon H. Hess, 66, Democratic Representative from Hill County for eight terms, died February 22, 1958.

Representative Hess was born March 24, 1891, at Mansfield, Ohio. He came to Montana in 1923 and for the last 35 years owned and operated a grain ranch on the Wild Horse Trail area north of Havre. Representative Hess was married December 25, 1913, at Valley City, N. D., to Viola M. Emery.

From 1937 to 1941 and from 1949 to 1957, Representative Hess was a member of the State House of Representatives. He had served since 1949 on the sub-committee for all appropriations for the Greater University of Montana system and had served as chairman for three sessions. In addition, he served the past term on the Constitutional Amendments and Federal Relations Committee, the Appropriations Committee, the Employment Committee of which he was chairman, the Railway and Aviation Transporta-

tion Committee, and the State Boards and Institutions Committee of which he was also chairman. He was a member of the board of directors for the Friends of the Hill County Library and for the past 20 years had been a member of the board of directors for the Farmers Union Oil Co., having served as chairman for the past 19 years. He was also a member of the Eagles Lodge.

Representative Hess was a member of the First Lutheran Church of Havre.

Survivors include his wife, one son, Walter, Great Falls; two grandchildren; a brother, and two sisters. A memorial in his memory has been established for the First Lutheran Church and the Heart Fund.

EUGENE N. JOFFRAY

Eugene N. Joffray, 79, died November 6, 1958, in Helena. Mr. Joffray was a former member of both the House and Senate, and sergeant-at-arms of the Montana House of Representatives.

He was born February 24, 1879, in Bellville, Illinois, the son of Nicholas and Margaret Reno Joffray. His wife, Vera L. Lucas Joffray, died June 5, 1952, in Helena.

Mr. Joffray was a former member of both the House and Senate, having represented Jefferson County in the House for five sessions and the Senate for two. He first served as sergeant-at-arms in 1939 and with the exception of one session, has been either sergeant or assistant sergeant of the House since that time. He had made his home at Clancy for many years.

Surviving relatives include a sister, Evelyn Lee of St. Louis, Missouri. A brother, Albert Joffray, preceded him in death.

THOMAS M. KEHOE

Thomas M. Kehoe, 87, was born in Green Bay, Wisconsin, and died January 12, 1958, in the Veterans Administration Hospital in Miles City where he had been a patient for about a year.

When he was 12 years old his family moved to Bristol, Iowa. He was graduated from the University of Minnesota School of Pharmacy in 1897 and enlisted in the 15th Minnesota Volunteer Infantry at the outbreak of the Spanish-American War. He also served in the army during the Philippine Insurrection.

He came to Montana in 1901, becoming a pharmacist at the Northern Pacific Hospital in Missoula. Four years later he moved to Billings to operate a drug store.

Mr. Kehoe was elected a Representative from Yellowstone County in 1916 and was made Speaker Pro Tempore of the House and was its Ways and Means Chairman.

He was a past grand knight of the Knights of Columbus, past state deputy of the Knights of Columbus and past commander of the Montana Department of the United Spanish War Veterans.

CHARLES H. KELSON

Charles H. Kelson was born near Arkdale, Wisconsin, on October 12, 1872. In 1879 he migrated with his parents to Tracy, Minnesota, and a couple of years later they settled on a homestead near Tyler, Minnesota.

On January 9, 1899, he was married to Rebecca Kjemhus of Minnesota.

He was a lifelong member of the Lutheran Church.

He was deputy county auditor in Lyon County, Minnesota, from 1894 to 1900, then farmed for a short time until he became affiliated with a Tyler bank, acting as cashier until 1914 when he moved to Lake Park, Minnesota, where he was with the First National Bank for a number of years. He was mayor of Lake Park several times. He had also been mayor of Tyler.

In 1922 he was elected State Senator in the 63rd District, comprising Becker and Hubbard Counties in Minnesota.

In 1928 he moved to Sunburst and was manager of the Tom Davis Syndicate, oil producers.

He was elected to the Montana Legislative Assembly in 1936 and served as a member of the House one term. Poor health terminated his political career. He was deputy assessor in the Kevin-Sunburst oil field several years and helped out during the busy periods in the assessor's office.

He was Grand Chancellor of the Grand Lodge Knights of Pythias of the Montana Grand Domain during the year 1943. He was affiliated with McKinley Lodge A. F. & A. M., Tyler, Minnesota, of which he was the Master while under dispensation and continued without interruption his membership in that body until his death. He had been a member of the Modern Woodmen of America for over 50 years and held a life membership in Great Falls Elk's Lodge No. 214.

He passed away December 11, 1957, at Toole County Memorial Hospital.

Survivors include his widow, Rebecca, a daughter, Thelma of Shelby, a son, Oren of Sunburst and four brothers.

RAY LEE

Ray Lee, former Legislator from Silver Bow County, died March 20, 1957, following a brief illness.

He was born May 14, 1906, in Missouri. He came to Butte in 1931 and worked as a miner until 1949. He served in the 1953 session in the House of Representatives.

Survivors include his father, William Lee of Quapaw, Oklahoma, and a brother, Roy Lee of Osburn, Idaho.

MORTIMER J. LOTT

Mortimer John Lott was born in Twin Bridges May 25, 1892, a son of Mortimer H. Lott, who with his brother, John S. Lott, founded the town of Twin Bridges. They came to Montana before the discovery of gold in Alder Gulch and they operated a store in Nevada City during the hectic days of the Vigilantes. Both were officers in the Vigilante organization when it was formed. They later came to the Lower Ruby to establish cattle ranches and the community of Twin Bridges, first known as "Lotts' Bridge."

Mr. Lott attended Twin Bridges schools and went east for two years to study at Parsons College, Fairfield, Iowa. He then returned to this community for several years work on the family ranch before completing his education at Montana State College in Bozeman.

He was elected to the State Legislature on the Republican ticket in 1932 and was a member of that body until 1939, when he became State Senator from Madison County. He served in the Senate until retiring in 1954. During this last term he served as chairman of the Senate Committee on Committees, which selects all other committees in the Upper House. He was Senate President pro tem ad interim between 1949 and 1951 sessions

and acted as governor of the state in the absence of both the governor and lieutenant-governor.

During his time in the state law making bodies, Mr. Lott was author of the bill which made possible the formation of hospital districts and Madison County was the first in the state to have tax supported rural hospitals. He also helped to establish many of the laws governing the cattle raising industry.

He served numerous terms as mayor of Twin Bridges. He was a charter member of the Twin Bridges Rotary Club. He was president for more than 20 years of the Ruby Valley Stock Growers Association and held an office in the Vigilante Cattleman's group. He was also an officer at times in the Montana Stockgrowers Association. He also served on the school board for several terms.

He was past master of Westgate Lodge No. 27, A. F. & A. M., a past patron of Daisy Chapter No. 20, Order of Eastern Star and also belonged to the Virginia City Commandry No. 1, Knights Templar, the Virginia City Royal Arch Masons and the Bagdad Temple of the Shrine.

Mr. Lott is survived by his wife and three sons and several grandchildren.

GILBERT McFARLAND

Gilbert (Gib) McFarland, 84, early-day Montana stockgrower, whose cattle have won awards at many national shows, died October 10, 1957.

He was born December 24, 1872, in Jefferson County, Mo., and first come to Montana in 1893, working near Big Timber. He returned to Missouri in 1897 to marry Lanye Kavanaugh at Rich Woods, Mo., and when he came back to Montana he was employed by Twodot Wilson, cattleman in the Musselshell Valley.

Mr. McFarland and an older brother, the late George McFarland, who came to Montana in 1883, formed a partnership and operated a hotel, saloon and stagecoach station at Big Elk. They then purchased their first herd of cattle, which they trailed to Dawson County to run on the open range. With the building of the Milwaukee Railroad, they moved to Twodot and began acquiring the present McFarland-White Ranch, at the foot of the Crazy Mountains in Wheatland and Sweetgrass Counties.

Wilbur "Pete" White has been associated with the operating of the ranching interests for the past 23 years. Since 1945, the operations have gone under the firm name of the McFarland-White Ranch.

In his ranching operations, Gilbert McFarland made more than 90 trips on stock trains to Chicago. He also served one term in the Montana Legislature.

He is survived by his wife, a daughter, Mrs. Wilbur White; a granddaughter, Mary Kavanaugh White; and a grandson, Gilbert McFarland White and nieces and nephews.

HENRY LAWNDES MAURY

Henry Lawndes Maury, 83, widely known Montana attorney who practiced law in Butte for more than 62 years, died January 15, 1959. He was a senior member of the law firm of Maury, Shone and Sullivan.

He was born November 20, 1875, near Charlottesville, Va., where he attended school and grew to manhood. He received his degree in law from the University of Virginia. After leaving law school, Mr. Maury settled in Butte where he began to practice his profession on November 20, 1896, his 21st birthday. He won immediate success in his chosen profession. During his early years as a lawyer, Mr. Maury specialized in corporation

law and represented several large firms. In the early 1900's he was associated with the late J. L. Templeman and later was a partner with Burton K. Wheeler who left the firm when he became U. S. Senator. He was also associated at one time with the late James H. Baldwin who at the time of his death was judge of the U. S. District Court in Montana. Mr. Shone, with whom he formed a partnership in 1930, was affiliated with Mr. Maury for 42 years, having joined the firm following his admission to practice in 1916; Sylvester Sullivan became affiliated with the firm in 1951. Through his career, Mr. Maury was a champion of the "underdog." No legal transaction brought to his attention was trivial and unimportant. He applied the same energy on the interests of his clients in the police courts as he gave in the highest court of the land.

At one time or another he appeared before circuit courts of appeal as well as before the Supreme Court of the U. S.

He was a keen student in all fields from law to sciences. At one time Mr. Maury served in the Montana House of Representatives from Silver Bow County. During the administration of Lewis J. Duncan as mayor of Butte in 1911-13, Mr. Maury served as city attorney.

He was a member of the Knights of Pythias Lodge and held a 50-year membership in that fraternity. He was a member of the Episcopal Church.

Mr. and Mrs. Maury celebrated their 60th wedding anniversary last August.

There are seven children surviving and fourteen grandchildren and two great-grandchildren.

JAMES B. MEAGHER

James B. Meagher, 60, Cascade County Legislator and a resident of Great Falls for over 50 years, died April 29, 1958, in Great Falls.

He was active in local labor circles and community affairs. He was elected to the Legislature in 1956 on the Democratic ticket, and was a candidate for re-election at the time of his death.

He was a member of the Cascade County Convalescent Hospital Advisory Board, a member of the Great Falls Police Commission, and a director of the USO and Salvation Army. He was active in the Old Age Pension Association and the National Foundation for Infantile Paralysis.

For the last 18 years he was employed at the Club Cafeteria. He was secretary-treasurer of the Bakers Union in Great Falls.

In addition to his widow, Elizabeth, he was survived by four daughters, Mrs. John Sloan, California; Mrs. Floyd Booth, Missoula; Mrs. Robert Stayton, Sidney; and Patsy Meagher, Great Falls; a son, James, Jr., California; four sisters, Mrs. Margaret Nuckols of San Francisco; Mrs. Al Nigey, Helena; Mrs. Leo St. John, Berkeley, California; and Mrs. Ward Hendrickson, Missoula; three brothers, Thomas F. of Jackson, Michigan, and Mike P. and F. L. (Sol) Meagher, both of Great Falls and ten grandchildren.

CLAUDE F. MORRIS

Claude F. Morris, 88, who served as an associate justice of the Montana Supreme Court from January, 1935, to January, 1947, died September 29, 1957.

Mr. Morris was a banker, lawyer, stockman and a Democratic member of the Montana House and Senate prior to becoming an associate justice at the age of 65. He also was Montana's Democratic National Committeeman about forty years ago.

Mr. Morris was a native of Missouri and a graduate of the George Washington University Law School. After he arrived in Montana in 1903, he was secretary and a trust officer of the Union Bank and Trust Company of Helena.

In 1907, he moved to Havre and served for six years in the Montana House and Senate. He won the legislative fight to permit counties to sell bonds for purchase of seed for destitute farmers, Montana's first farm relief act and one of the first in the nation.

In 1918 he was elected president of the Montana Bankers Association.

He served in the Montana House in the 1915 session and in the Senate in the 1917 and 1919 sessions. He also served in two special sessions in 1918 and 1919.

He was a member of the Senate Judiciary Committee.

He was assistant Montana attorney general for two years prior to his election to the Supreme Court.

Mrs. Morris died in 1955 at the age of 76. Mrs. Morris taught in Helena high school from 1902 to 1905.

J. C. (CLEM) PARKER

J. C. (Clem) Parker was born February 28, 1885, at Ackley, Iowa, and died August 19, 1957.

As a young man he came to Montana where he homesteaded until his marriage to Beulah Ray and they settled on a farm five miles south of Wibaux. Six children were born to this union, three sons and three daughters. Two sons preceded him in death as did his wife in October of 1950.

Mr. Parker had been a resident of Wibaux County for the past 50 years and was one of Wibaux Countys most substantial farmers and was also active in many civic affairs of the county and community.

He served as Representative of Wibaux County for twelve years and during that time served his country earnestly and well as a member of the Montana Legislature, he was active on many committees pertaining to the agricultural development of the state and his county.

In January, 1954, Mr. Parker was married to Mrs. Helen Harris of Great Falls. He retired from active farming that year and he and his wife made their home in Wibaux for the past 3½ years.

He was a faithful member of St. Peter's Catholic Church; charter member of Wibaux Lions Club, being a past president; a member of B.P.O. Elks Lodge. He served as both a state and county director of Soil Conservation and also served as director of the Wibaux Co-op Elevator Co.; Farmers Mutual Fire and Lightning Insurance Co., and the Wibaux Co-op Oil Company. He gave of his time diligently on the U. S. Canadian-Mexican highway project.

He is survived by his widow, Helen, one son, Gilbert of Wibaux and three daughters, a brother, ten grandchildren, and several nieces and nephews.

E. J. PARKIN

E. J. Parkin, former educator, mayor, county commissioner and legislator, died January 23, 1958.

Born on a farm near Pine Island, Minn., on December 26, 1873, he attended rural school there and worked on a farm until nearly 21. Then he graduated from high school and attended Charlton College, Northfield, Minn., for two years and then graduated from the University of Minnesota

in 1902. In more than half a century following his graduation from college, Parkin developed successful careers as an educator and businessman.

He came to Bozeman in 1903 as a teacher of science and mathematics at Gallatin County high school. Four years later he became principal and continued in that capacity until 1920 when he resigned to enter the real estate and insurance business with P. C. Waite.

Mr. Parkin took an active part in affairs at the city, county and state levels. He was elected mayor in April, 1921, and served until the city adopted the city manager form of government that same year. After serving two years as a city commissioner, he was re-elected to a four-year term. He served one term in the House of Representatives at Helena and two terms of four years each as Gallatin County Senator. Parkin was a county commissioner, serving a six-year term beginning in 1943. In addition, he served as a trustee of School District No. 7 for nine years.

He had been a director and officer of numerous businesses and corporations during his business career. Among them were board of directors, Montana Power Co., vice president and director of the Security Bank and Trust Co., secretary and director of the Gallatin Lumber Co.; treasurer and director of the Bozeman Community Hotel Building Co., the corporation which built Hotel Baxter.

Mr. Parkin was a member of the First Baptist Church, a charter member and past president of the Bozeman Kiwanis Club and a member of Masonic Lodge No. 6, Royal Arch Masons and Knights Templar.

Survivors include his widow; a daughter, Mrs. Reginald Divers of England; a son, Max, of Long Beach, California, and five grandchildren.

GEORGE R. PIERCE

George R. Pierce, a Billings resident since 1916, died July 16, 1958. He was born August 31, 1894, in Central City, Colorado, and married Margaret Morrison in Butte on January 1, 1916.

Mr. Pierce was a Representative of Yellowstone County in the State Legislature from 1954 to 1957. During his tenure he devoted most of his efforts to Montana highway development. One of his principal projects was "the missing link," the section of Montana Eight between Crow Agency and Broadus. He was president of the Canada-Mexico Highway Association and was a director of the Bee-Line (Highway 87) Association.

Mr. Pierce was a member of the Billings Kiwanis Club; Ashlar Lodge No. 29, A. F. & A. M.; Scottish Rite Bodies; Al Bedoo Shrine Temple; Elks; United Commercial Travelers; Billings Saddle Club and Shrine Black Horse Patrol.

He is survived by his widow; three sons, John H. Pierce, Frank Pierce and George L. Pierce, all of Billings; a daughter, Mrs. John Warnke of Klamath Falls, Oregon; two brothers, Charles C. of Long Beach, California, and R. H. of Longview, Washington; a sister, Mrs. Caroline Larson of Miami, Florida, and sixteen grandchildren.

JACK W. RIMEL

Jack W. Rimel died at the age of 42 in Missoula, December, 1958. Mr. Rimel was born May 28, 1916, at Shonkin, in Choteau County, and attended grade schools at Valier and Whitefish before entering the Paxson school, where he completed the last three grades. He was graduated from Missoula County high school in 1934 and was granted his L.L.B. degree from the Montana State University Law School in 1939. He worked for the Forest Service as a smoke chaser and lookout during the summers of 1936 and 1937. He enlisted in the U. S. navy in 1941, and was assigned to duty on a destroyer. He served mostly in the Asiatic-Pacific Theatre of Operations.

His war wounds brought him the Purple Heart medal. He was discharged lieutenant, junior grade, in October of 1945.

In 1949 Mr. Rimel joined William T. Boone and Russell E. Smith in the law firm bearing their names. He was a member of the Western Montana, Montana, and American Bar Associations. He was a former chairman of the Missoula-Mineral Counties Chapter of the American Red Cross, and had been a member of the Kiwanis Club, the Elks, the Missoula Park Board, and the Sigma Chi social fraternity. He was a past vice commander of the American Legion and had been chancellor of the Montana Diocese of the Episcopal Church. He had been a member of the vestry of the Church of the Holy Spirit and had served on the Western Montana Boy Scout Council.

He was elected to the Legislature in 1952 and served one term.

FRED W. SCHILLING

Fred W. Schilling, 61-year-old native who served for more than 20 years as city attorney, died in Missoula, March 18, 1958.

Mr. Schilling was born February 14, 1897. He was one of nine children born to Mr. and Mrs. Andy Schilling. His father was a realtor.

Mr. Schilling attended Prescott and St. Joseph's grade schools, Loyola high school and Montana State University. He was granted a degree from MSU Law School in 1924, and practiced his profession since that time.

He served on the Montana Legislature in 1931 and 1933. He was appointed city attorney by the late mayor Ralph L. Arnold in 1935 and had served continuously since.

He was a member of St. Anthony's Parish and Knights of Columbus and a past exalted ruler of the Elks.

In addition to his widow, he is survived by two daughters, Mrs. Paul Caine and Mary Jean Schilling; two sisters, Mrs. Hilda Kreitzberg of Missoula and Mrs. Charles Holm-Kennedy in California, and three brothers, Paul of Missoula and Anthony and Karl in California.

EDWARD L. SHIELDS

Edward L. Shields, 72, two-term mayor of Great Falls, twice elected to the State Legislature, Cascade County sheriff from 1932 to 1935, and a Great Northern railwayman for more than 50 years until his retirement in June, 1957, died December 1, 1957, in Great Falls.

His wife, Mrs. Belle Shields, died less than a month before.

Mr. Shields was born June 17, 1885, in Hot Springs, Ark.; he had lived in Great Falls since 1893.

In 1925 he was elected to the State Legislature and was again re-elected in 1927. He was elected mayor of Great Falls in 1941 and again in 1943. He served as chairman of the City's Airport Commission under Mayor Truman Bradford.

During World War I, from 1917 to 1918, Shields served as an officer with the Russian Railway Corps in Siberia.

He was director of the Railroad Brotherhood Bank here until it merged with the Montana Bank. With Earl Vance, he organized and operated a flying service in Great Falls in the early 1920's until the service's hangar was destroyed by fire.

The city built a dog cemetery while he was mayor. Impetus for this project and for a monument to a shepherd dog in Fort Benton were part of Shield's hobby of taking care of homeless dogs.

He belonged to the Great Falls Elks and Eagles, United Commercial Travelers and the Brotherhood of Railway Trainmen. He was past commander of Loy J. Molumby Post 3, American Legion. He spearheaded a \$200,000 fund campaign in the six Catholic parishes in Great Falls in 1953.

Surviving are three sisters, Mrs. Mary Kennedy, Great Falls; Mrs. Nellie Morelock and Mrs. Ben Steele, both of Los Angeles; two brothers, Gordon and Basil Shields, both of Great Falls, and several nieces and nephews.

HENRY P. SULLIVAN

Mr. Sullivan was a resident of Butte and Walkerville for many years. He spent 37 years in the Hill City and was city clerk for eighteen. He was mayor for one term.

In 1939 and 1940, he was a delegate from Silver Bow County to the Montana House of Representatives.

Mr. Sullivan worked thirty years as a carpenter for the Anaconda Company. He was retired. He was a member of Local 112, Carpenters Union, for 48 years, and was a devout member of St. Patrick's Church.

Survivors include his wife, Gertrude; sons-in-law and daughters, Mr. and Mrs. Walter Collins and Mr. and Mrs. Ray Fredrickson, all of Butte; brothers and sisters-in-law, Mr. and Mrs. Frank Sullivan and George Sullivan of San Francisco, California; several grandchildren and a niece.

FRED THOMAS

Fred Thomas was born in Wisconsin on May 26, 1885, and died in Stevensville, Montana, June 12, 1958, at the age of 73.

Mr. Thomas came to the Helena Valley in the early 1900's. He then moved to Ravalli County where he purchased and operated a livestock ranch.

Mr. Thomas was very active in politics, being chairman of the Republican party for many years in Ravalli County. He served in the House of Representatives in the year 1947 from Ravalli County.

He retired and moved to Stevensville around the year 1950.

He is survived by his widow and one son, Robert, who is residing in Stevensville; five daughters, one residing in Missoula, one in the Phillipines and three residing in California. One son, Alfred, was killed in action in Korea.

MEMORIAL PRAYER

(Chaplain Paul E. Caskey)

O Lord and Master, we thank Thee for the precious gift of memory. With high esteem we remember these departed servants of the people. We remember also, that many of our advances were made possible because of their devotion to duty. May we too, follow in the steps of those who have gone before us, by continuing to build upon their labors and thus help to preserve for future generations the privilege of free government.

Gracious Lord, accept we pray, our sincere tribute to their memory, and we pray that their good works may continue to live after them.

In the name of our Lord Jesus Christ we pray. Amen.

THE LORD'S PRAYER

Sacred Solo.....Harold Paulsen

NECROLOGY COMMITTEE:

MORRISON, Chairman,
PAULSEN,
CAVAN,
McNALLY,

Motion was made by Morrison for adoption of the Necrology Committee report by a standing vote and silent prayer. A silent prayer followed and the Speaker announced the report adopted.

MESSAGES FROM THE SENATE

March 4, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on roll call vote this day, the motion to override the Governor's veto on House Bill No. 165, failed to carry the necessary two-thirds votes of the members present.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 4, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Conference Committees this day to confer with like Committees from the House:

On House Amendments to Senate Bill No. 169: Clark, chairman; Thiessen, Mahoney (Garfield).

On House Amendments to Senate Bill No. 168: Cumming, chairman; Nees, Cole.

On Senate Amendments to House Bill No. 91: Durkee, chairman; Stein, Smith.

On Senate Amendments to House Bill No. 255: Cotton, chairman; Hofland, Grandey.

On Senate Amendments to House Bill No. 170: Rieder, chairman; Dussault, Mannix.

On Senate Substitute for Sub. House Bill No. 426: Keller, chairman; Beley, Scofield.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 338, 273, 335, Sub. 78, 302, 259, 360, 480, 416, 382, 522 and 484, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:30 o'clock p.m., delivered to the Governor for his approval.

JARDINE, Chairman.

MOTIONS AND RESOLUTIONS

The following Resolution was read:

House Resolution No. 10, introduced by Barrett, Gill, Healy, Gunder-son, Morrison, Wold, Langston, Daniels, Abel, Harball, DeWolfe, Tonner, Powers, Shea, Angstman and Sheldon (Flathead).

Whereas, the House of Representatives with the Senate concurring did in 1955 exhibit admirable foresight in purchasing for the use of that honorable body a much needed sound and amplifying system and an electric roll call machine; and

Whereas, said sound system and electric roll call machine in the Legis-lative Sessions of 1957 and 1959 have proven invaluable in promoting ef-ficiency, lucidity of debate, time saving; and

Whereas, this honorable body has observed with dismay and pity that the esteemed Senate of the State of Montana is still laboring with the antiquated tools of ages past, without the benefit of microphones or roll call machines; and

Whereas, it is the unsolicited opinion of the House of Representatives that the Senate could greatly benefit from the experience and wisdom of the House in the use of these modern aids to parliamentary procedure; and

Whereas, we believe the work of the Senate could be expedited by the adoption of a similar system as that in the House,

Therefore, Be It Resolved, that the House of Representatives of the Thirty-sixth Legislative Assembly respectfully urge the Senate to consider seriously the adoption and use of an amplifying system and an electric roll call machine to facilitate the work of that honorable body; and

Be It Further Resolved, since the Constitution of the State of Montana specifically prohibits the Senate from introducing appropriation measures, the Speaker of the House, acting under authority and direction of Joint Rule No. 23 of the Senate and House of Representatives will, upon Senate request, provide for the introduction of an appropriation measure to finance said sound system and voting machine; and

Be It Further Resolved, that the members of the House pledge their individual and collective support to such a measure should it be requested and introduced, to the end that they will work for it, lobby for it, and vote for it in the interest of efficiency and modernization of the Montana State Legislature; and

Be It Finally Resolved, that a copy of this resolution be sent to the Secretary of the Senate, State of Montana.

Motion was made by Barrett for adoption of the above resolution. Motion carried.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: H. B. No. 542 and No. 533 con-sidered correctly engrossed.

PARKER, Chairman.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Substitute for House Bill No. 31 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Es-

kildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 81.

Noes: None.

Absent and not voting: Clowes, Daniels, Gilfeather, Hawks, Loughran, McGaffick, Mernin, Powers, Sales, Sheehy, Woodring. Total 11.

Excused: Page (Granite), Picard. Total 2.

Senate Substitute for House Bill No. 312 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 74.

Noes: None.

Absent and not voting: Bardanouve, Clowes, Daniels, Devier, Elting, Gerard, Gilfeather, Haines (Prairie), Hawks, Loughran, McGaffick, Mernin, Nees, Parker, Powers, Raundal, Sheehy, Woodring. Total 18.

Excused: Page (Granite), Picard. Total 2.

Senate Substitute for House Bill No. 107 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Devier, DeWolfe, Emmons, Eskildsen, Felt, Fjare, Fladager, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Morrison, Moudree, Page (Missoula), Paulsen, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 75.

Noes: Elting, Nelstead. Total 2.

Absent and not voting: Bradford, Clowes, Daniels, Gerard, Gilfeather, Hawks, Loughran, McGaffick, Mernin, Nees, Nichols, Parker, Powers, Sheehy, Woodring. Total 15.

Excused: Page (Granite), Picard. Total 2.

Senate Substitute for House Bill No. 381 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey,

Cavan, Cerovski, Corcoran, Curry, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Harball, Healy, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Paulsen, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright. Total 71.

Noes: Devier, Hanks, Holding, Jardine. Total 4.

Absent and not voting: Clowes, Daniels, Gerard, Gilfeather, Hawks, Loughran, McGaffick, Mernin, Nees, Parker, Powell, Powers, Raundal, Sheehy, Sheldon, Woodring, Mr. Speaker. Total 17.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 155 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McOmber, Morrison, Nees, Nichols, Page (Missoula), Parker, Paulsen, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Strnisha, Tonner, Wood, Wold, Wright, Mr. Speaker. Total 73.

Noes: Holding, McNally, Moudree, Sheldon. Total 4.

Absent and not voting: Bardanouve, Battin, Clowes, Gilfeather, Haines (Prairie), Hawks, Loughran, McGaffick, Mernin, Nelstead, Powers, Sheehy, Walton, Wayrynen, Woodring. Total 15.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 232 were concurred in by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Morrison, Nees, Page (Missoula), Parker, Paulsen, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Fladager, Mr. Speaker. Total 78.

Noes: Abel. Total 1.

Absent and not voting: Clowes, Gilfeather, Hawks, Loughran, McGaffick, Mernin, Moudree, Nelstead, Nichols, Powers, Sheehy, Sheldon, Woodring. Total 13.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 192 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve,

Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Morrison, Moudree, Nees, Nichols, Page (Missoula), Parker, Paulsen, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Clowes, Daniels, Devier, Gilfeather, Gleed, Haines (Prairie), Hawks, Loughran, McGaffick, Mernin, Nelstead, Powers, Sheehy, Sheldon, Woodring. Total 15.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 208 were concurred in by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Casey, Cavan, Cerovski, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Gerard, Gill, Glancy, Gunderson, Haines (Prairie), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Jardine, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, McNally, McOmber, Morrison, Moudree, Parker, Paulsen, Powell, Raundal, Reeder, Reinecke, Rindy, Schwinden, Shea, Tonner, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 63.

Noes: Broeder, Fladager, Haines (Missoula), Howard, Loman, McGarvey, Page (Missoula), Regan, Sheldon, Strnisha, Walton. Total 11.

• Absent and not voting: Abel, Bradford, Clowes, Daniels, Gilfeather, Gleed, Hawks, Loughran, McGaffick, Mernin, Nees, Nelstead, Nichols, Powers, Sales, Sheehy, Sheldon, Woodring. Total 18.

Excused: Page (Granite), Picard. Total 2.

Senate Amendments to House Bill No. 34 were concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Cerovski, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, McGarvey, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Paulsen, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Sheldon, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Wold, Wright, Mr. Speaker. Total 75.

Noes: Jardine, Schwinden. Total 2.

Absent and not voting: Barrett, Bradford, Clowes, Daniels, Gerard, Gilfeather, Hawks, Loughran, McGaffick, Mernin, Nees, Parker, Powers, Sheehy, Woodring. Total 15.

Excused: Page (Granite), Picard. Total 2.

House Bill No. 542, having been read at length, was passed by the following vote:

Ayes: Aasheim, Abel, Angstman, Bardanouve, Barrett, Barnard, Barnes,

Bashor, Broeder, Casey, Cerovski, Clowes, Daniels, Devier, Emmons, Eskildsen, Fladager, Gill, Glancy, Gunderson, Hanks, Harball, Holding, Holtz, Jardine, Jensen, Karlberg, Kiff, Kvaalen, Langston, Leuthold, McGarvey, McNally, McOmber, Moudree, Parker, Powell, Raundal, Reeder, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Wood, Wold, Mr. Speaker. Total 49.

Noes: Anderson, Babcock, Battin, Bentz, Bradford, Cavan, Corcoran, Curry, DeWolfe, Elting, Felt, Fjare, Gerard, Gleed, Haines (Prairie), Haines (Missoula), Healy, Higham, Holecek, Howard, Lees, Loman, Morrison, Nelstead, Nichols, Page (Missoula), Paulsen, Regan, Reinecke, Sales, Walton, Wayrynen, Wright. Total 33.

Absent and not voting: Gilfeather, Hawks, Kolar, Loughran, McGaffick, Mernin, Nees, Powers, Sheehy, Woodring. Total 10.

Excused: Page (Granite), Picard. Total 2.

House Bill No. 533, having been read at length, was passed by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Clowes, Corcoran, Curry, Devier, DeWolfe, Elting, Emmons, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold, Mr. Speaker. Total 76.

Noes: Bardanouve, Cerovski, Eskildsen, Kvaalen, Raundal, Wright. Total 6.

Absent and not voting: Daniels, Gilfeather, Hawks, Jardine, Kolar, McGaffick, Mernin, Nees, Powers, Sheehy. Total 10.

Excused: Page (Granite), Picard. Total 2.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Barrett of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Bill No. 118 be concurred in.

That House Bill No. 543 do pass.

BARRETT, Chairman.

Motion was made by Barrett for adoption of the Committee of the Whole report.

Substitute motion was made by McGarvey to segregate Senate Bill No. 118 from the Committee report. McGarvey requested a Call of the House, and a roll call vote to be spread on the Journal in full. There being sufficient seconds the Speaker ordered a Call of the House. Upon com-

pletion of roll call, progress being reported, McGarvey moved that the Call of the House be dispensed with. Motion carried.

After further debate Schwinden moved for the previous question. Motion carried.

Substitute motion by McGarvey failed to carry as follows:

Ayes: Barrett, Barnard, Barnes, Bashor, Casey, Cerovski, Curry, Devier, Emmons, Eskildsen, Gilfeather, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Howard, Jardine, Jensen, Karlberg, McGarvey, McNally, McOmber, Moudree, Nichols, Parker, Raundal, Reeder, Sheehy, Shelden, Strnisha, Wayrynen, Woodring, Wold. Total 37.

Noes: Aasheim, Abel, Anderson, Angstman, Babcock, Battin, Bentz, Bradford, Broeder, Cavan, Clowes, Corcoran, Elting, Felt, Fjare, Fladager, Gerard, Glead, Haines (Prairie), Higham, Holtz, Kiff, Kolar, Kvaalen, Langston, Loman, Loughran, Morrison, Nees, Nelstead, Page (Missoula), Paulsen, Powell, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Walton, Wood, Wright, Mr. Speaker. Total 44.

Absent and not voting: Bardanouve, DeWolfe, Gill, Hawks, Lees, Leuthold, McGaffick, Powers, Tonner. Total 9.

Excused: Mernin, Daniels, Page (Granite), Picard. Total 4.

Motion by Barrett for adoption of the Committee report carried. Report adopted.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 544, beg leave to report that the same has this date been returned from the printer correctly printed.

ABEL, Chairman.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 177, 156, 151, 145, 117, 101, 69, 136, 94, 70, 57 and Sub. 150.

CONSIDERATION OF GENERAL ORDERS

Cerovski moved that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Barrett of Liberty in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That House Bill No. 544 be amended in the title by striking from lines 9 and 10 the following: "and providing they shall receive one copy of all such items free of charge";

Be further amended in section 4 in lines 2 and 3 thereof, by striking therefrom the following: "and shall receive without charge one complete set of all proceedings of the Legislature";

Be further amended in line 2 of section 4 after the word "act" by adding a period ".";

And as amended, do pass.

BARRETT, Chairman.

Report adopted.

Motion was made by Cerovski that the House adjourn until 10:00 a.m., Thursday, March 5, 1959. Motion carried.

House adjourned.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

SIXTIETH LEGISLATIVE DAY

House of Representatives
Helena, Montana
March 5, 1959.

House convened at 10:00 a.m., pursuant to adjournment.

Mr. Speaker in the Chair. Invocation by the Chaplain.

On roll call all members were present except Felt, Gilfeather, Mernin, Regan and Schwinden, who were excused, and Daniels, absent.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Fifty-ninth Legislative Day, find the same to be correct.

NEES, Vice-Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, recommend that the following named House employees, heretofore employed by the Employment Committee of the House be dropped from the payroll effective as of close of business March 5, 1959:

Robert E. Doepker.
Con Kelly.
Marguerite Maxwell.
Mrs. Frank D. Neill.
Ethel M. Chandler.
Wanda Lee Gough.
Grace Manning.
Betty Z. Penner.
Marian J. Stock.
Mrs. Elnora A. Jung.
Mae Gallagher.
John Jewell.
Ernest Neiman.
John Ferguson.
Barbara Mahjor.
Bernice Fletcher.
Donald Wayne Cormany.
Wm. J. McEachren.
Gerald Holland.
Rev. Paul E. Caskey.
Delores Clarke.
Mrs. James Murphy.

Margaret Nagle.
Leona Campana.
Harvey Sanders.
Harold Glendenning.
Matt W. Oja.
Myrtle O'Leary.
Richard Davis.
George P. Hetherington.
Dan Holland.
Andrew Keohoe.
Jennie H. Lee.
Gertrude Shea.
Emil Banik.
Jo Ann Raundel.
Alexander S. Armstrong.
Mary Lacy.
Earl Oldperson.
James T. Laughman.
Chas. Warren.
Nora Swanson.
Victor Kiely.
LOUGHRAN, Chairman.

Report adopted.

MESSAGES FROM THE GOVERNOR AND SENATE

March 5, 1959.

Hon John J. MacDonald,
Speaker of the House of Representatives,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. B. 372—Introduced by Holtz (by request).

H. B. 363—Introduced by Devier, Nichols, Bardanouve, Moudree and Walton (by request).

H. B. 222—Introduced by Broeder, Sales and Holtz.

H. B. 362—Introduced by Devier, Nichols, Moudree, Walton and Bardanouve (by request).

H. B. 366—Introduced by Devier, Nichols, Bardanouve, Moudree and Walton (by request).

H. B. 365—Introduced by Devier, Nichols, Bardanouve, Moudree and Walton (by request).

H. B. 469—Introduced by Cavan and Felt.

Sub. H. B. 337—Introduced by Committee on Ways and Means.

Very truly yours,
J. HUGO ARONSON, Governor.

March 4, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to, and the same is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 535 by Barnard.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 4, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and not concurred in and the same is herewith returned to the House:

House Bill No. 330 by Page (Missoula) et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 4, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 43 by Barnard et al.

House Bill No. 532 by Barnard.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

House Resolution No. 11, requesting the Absaroka-Yankee Jim project be placed under construction as early as possible, was offered for introduction by Wold, Tonner, Healy, Gunderson, Gill, Harball and Strnisha. Gerard rose on a point of order that a resolution pertaining to the same subject had already been refused by the House. The Speaker referred the point of order to the Rules Committee.

Cerovski moved that Senate Bill No. 118 be taken from Third Reading and referred to the Rules Committee. Motion failed to carry.

McGarvey moved that Senate Bill No. 118 be passed on Third Reading. Motion failed to carry.

THIRD READING OF SENATE BILL

Senate Bill No. 118, having been read three several times, title and history agreed to, Cerovski moved for recess subject to the Call of the Chair. Division was called for on the vote on the motion. Motion failed to carry. Cerovski requested a Call of the House. There being a sufficient number of seconds, the Speaker ordered a Call of the House. Upon completion of roll call Cerovski moved that the Call of the House be dispensed with, progress having been reported. Motion carried.

Gerard asked that there be a second Call of the House and requested seconds. There being a sufficient number arising, the Speaker ordered the Call of the House. Upon completion of roll call, further progress having been reported, Cerovski moved that the Call of the House be dispensed with. Motion carried.

Senate Bill No. 118 was not concurred in as follows:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bashor, Battin, Bentz, Broeder, Casey, Cavan, Corcoran, Elting, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Hawks, Higham, Kiff, Kolar, Kvaalen, Leuthold, Loman, Nees, Nelstead, Page (Granite), Page (Missoula), Paulsen, Powell, Reinecke, Rindy, Sales, Shea, Sheldon, Walton, Wood, Wright. Total 39.

Noes: Barrett, Barnard, Barnes, Bradford, Cerovski, Clowes, Curry, Devier, DeWolfe, Emmons, Eskildsen, Gill, Glancy, Gunderson, Haines (Missoula), Hanks, Harball, Healy, Holding, Holecek, Holtz, Howard, Jardine, Jensen, Karlberg, Langston, McGaffick, McGarvey, McNally, McOmber, Morrison, Moudree, Nichols, Parker, Picard, Powers, Raundal, Reeder, Sheehy, Shelden, Strnisha, Tonner, Wayrynen, Woodring, Wold, Mr. Speaker. Total 46.

Absent and not voting: Bardanouve, Daniels, Lees, Loughran. Total 4.

Excused: Felt, Gilfeather, Mernin, Regan, Schwinden. Total 5.

MOTIONS AND RESOLUTIONS

Cerovski, having voted on the prevailing side, moved that the House reconsider its previous action on Senate Bill No. 118.

Substitute motion was made by McGarvey that the motion by Cerovski be laid on the table. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Langston of Wheatland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 535 be not concurred in, but that a conference committee of three members be appointed from the House, and a like committee requested from the Senate.

LANGSTON, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that the House reconsider its action on General Orders in not concurring in Senate Amendments to House Bill No. 535. Motion carried.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Langston of Wheatland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 535 be concurred in.

LANGSTON, Chairman.

Report adopted.

MESSAGE FROM THE SENATE

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the President appointed the following Conference Committees this day to confer with like Committees from the House on Senate Amendments to House Bills:

House Bill No. 29: Durkee, chairman; Mahoney (Sanders), McDonnell.

Sub. House Bill No. 15: Siderius, chairman; Goodwin, Sagunsky.

House Bill No. 424: Nixon, chairman; McKenna (Fergus), Anderson (Wibaux).

House Bill No. 437: Bovey, chairman; LaCombe, Balgord.

House Bill No. 455: Carney, chairman; Lehrkind, Mackay.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Joint Memorial No. 5, House Bills Nos. 93, Sub. 297, 314, 376, 231, 460, 85, 208, Sub. 201, 194, 232 and Sub. 123.

JARDINE, Chairman.

I have examined House Bill No. 85, introduced by Sheehy et al and find the same to be correct.

SHEEHY.

I have examined House Bill No. 208, introduced by Wood et al and find the same to be correct.

WOOD.

I have examined Sub. House Bill No. 123, introduced by the Committee on Banking and Insurance and find the same to be correct.

SCHWINDEN, Vice-Chairman.

I have examined House Bill No. 194, introduced by me and find the same to be correct.

McGARVEY.

I have examined House Bill No. 460, introduced by McGarvey et al and find the same to be correct.

McGARVEY.

I have examined House Joint Memorial No. 5, introduced by Jardine et al and find the same to be correct.

JARDINE.

I have examined Sub. House Bill No. 297, introduced by the Committee on Ways and Means, and find the same to be correct.

EMMONS, Chairman.

I have examined Sub. House Bill No. 201, introduced by the Committee on Privileges and Elections and find the same to be correct.

KARLBERG, Chairman.

I have examined House Bill No. 376, introduced by the Committee on State Lands, Forests and Parks and find the same to be correct.

STRNISHA, Chairman.

I have examined House Bill No. 93, introduced by Elting et al and find the same to be correct.

ELTING.

I have examined House Bill No. 232, introduced by Cavan et al and find the same to be correct.

CAVAN.

I have examined House Bill No. 314, introduced by Abel et al and find the same to be correct.

ABEL.

I have examined House Bill No. 231, introduced by Cavan et al and find the same to be correct.

CAVAN.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 85, 460, 376, 93, 232, 231, 314, 194, 208, Sub. 123, Sub. 297, Sub. 201 and House Joint Memorial No. 5.

THIRD READING OF HOUSE BILLS

Senate Amendments to House Bill No. 535, having been read, were concurred in by the following vote:

Ayes: Abel, Anderson, Babcock, Barnard, Barnes, Battin, Bentz, Broeder, Cavan, Clowes, Curry, Eskildsen, Fjare, Fladager, Gill, Gleed, Gunderson, Haines (Prairie), Harball, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kolar, Leuthold, Loman, McGaffick, McNally, McOmber, Nelstead, Page (Granite), Page (Missoula), Powell, Powers, Reinecke, Rindy, Sales, Shea, Sheldon, Strnisha, Wood, Wright, Mr. Speaker. Total 45.

Noes: Devier, Haines (Missoula), Hanks, Hawks, Kiff, Kvaalen, Parker, Picard, Raundal. Total 9.

Absent and not voting: Aasheim, Angstman, Bardanouve, Barrett, Bashor, Bradford, Casey, Cerovski, Corcoran, Daniels, DeWolfe, Elting, Emmons, Gerard, Glancy, Healy, Holecek, Jardine, Langston, Lees, Loughran, McGarvey, Morrison, Moudree, Nees, Nichols, Paulsen, Reeder, Shelden, Tonner, Walton, Wayrynen, Woodring, Wold. Total 34.

Excused: Felt, Gilfeather, Mernin, Regan, Schwinden, Sheehy. Total 6.

REPORT OF CONFERENCE COMMITTEE

March 5, 1959.

To the President of the Senate and to the Speaker of the House:

We, your Joint Conference Committee, after having had under consideration Senate Amendment to House Bill No. 255, respectfully report as follows: We recommend that the House accede to Senate Amendment to House Bill No. 255.

Senators: COTTON,
HOFLAND,
GRANDEY.

For the House: BARRETT,
AASHEIM,
LEUTHOLD.

Motion was made by Barrett that the Conference Committee report be adopted. Report was adopted by the following vote:

Ayes: Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Battin, Bentz, Bradford, Cavan, Cerovski, Clowes, Corcoran, Curry, Devier, Elting, Eskildsen, Felt, Fjare, Fladager, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Leuthold, McGaffick, McNally, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal,

Reeder, Reinecke, Rindy, Schwinden, Shea, Strnisha, Tonner, Wood, Wright, Mr. Speaker. Total 64.

Noes: None:

Absent and not voting: Aasheim, Angstman, Bashor, Broeder, Casey, Daniels, DeWolfe, Emmons, Gerard, Healy, Holeccek, Jardine, Langston, Lees, Loman, Loughran, McGarvey, Nees, Paulsen, Sales, Sheldon, Sheldon, Walton, Wayrynen, Woodring, Wold. Total 26.

Excused: Gilfeather, Mernin, Regan, Sheehy. Total 4.

Motion was made by Cerovski that the House recess until 2:00 p.m. this day. Motion carried.

House recessed.

AFTERNOON SESSION

House resumed.

Mr. Speaker: We, your Committee on Engrossing, beg leave to report the following bills correctly engrossed: House Bill No. 544 and House Bill No. 543 considered correctly engrossed.

PARKER, Chairman.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. Sub. 175, 102, 107, 135, 137, 191, Senate Joint Resolution No. 3, 17, 165, 68, 1, 184, 185, 189, 34, 103, 16, 104, 72, 194, 105, 154 and Senate Joint Memorial No. 3.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Rules, having had under consideration a point of order on House Resolution No. 11, respectfully report as follows: That although House Resolution No. 11 in its content is almost identical to House Joint Memorial No. 6, which was killed in the House by adopting an adverse committee report, it may be properly introduced before the House of Representatives. House Rule No. 36, upon which the point of order was raised, provides that "no bill shall be re-introduced that has been finally rejected by the House," but does not apply to House Resolution No. 11 because, first, the resolution under question is not a bill, and, second, the resolution under question does not require concurrence by the Senate and the signature of the Governor. House Resolution No. 11 merely brings to the attention of the House matter that was rejected previously by the House Committee on Constitutional Amendments and which was not given an opportunity to be aired before the House. It was suggested by the Rules Committee, however, that an amendment be made to House Resolution No. 11 on page 2, line 18, by deleting the word "Legislature" and inserting in lieu thereof the words "House of Representatives."

CEROVSKI, Chairman.

Report adopted.

REPORTS OF CONFERENCE COMMITTEES

We, your Conference Committee on Senate Amendments to House Bill No. 170, do hereby make the following report:

Amend the title in line 5 of the original bill, being lines 1 and 2 of the printed bill, after the figure "75-4103" by striking out the word and figures: "and 75-4104";

Amend the title in lines 6 and 7 of the original bill, being lines 2, 3 and

4 of the printed bill, after the figure: "1947" by striking out the following words: "removing the county superintendent of schools from the board of trustees of county high schools";

Amend the title in line 10 of the original bill, being line 6 of the printed bill, after the word "election" and the semicolon ";;" by adding the following words and punctuation: "providing for a petition to be signed by fifteen per cent of the qualified voters requesting the election; providing for the county commissioners to submit the question to a vote of the people of the high school district whether school trustees of county high school district shall be elected; providing for the election of said trustees when the people approve by a majority vote; providing that if a majority of all the votes cast be in favor of electing a board of trustees, then, the provisions of sections 75-4104 and 75-4105 of the Revised Codes of Montana, 1947, shall no longer be applicable; providing that upon the election and qualification for office of all seven of the elected trustees, the county superintendent of schools shall no longer be a member of the board of trustees";

Amend the title in lines 14 and 15 of the original bill, being lines 10 and 11 of the printed bill, after the word "office" and the semicolon ";;" by striking out the following words and figures: "and amending section 75-4105 of the Revised Codes of Montana, 1947,";

Amend the title in line 17 of the original bill, being line 13 of the printed bill, after the word "boards" and the semicolon ";;" by adding the following words and punctuation: "establishment of trustee districts";

Amend section 1, lines 25, 26, 27, 28, 29, 30, 31, and 32, page 1 of the original bill, being section 1, lines 3, 4, 5, 6 and 7, page 1 of the printed bill, by striking out in their entirety the said lines and inserting in lieu thereof the following figures, words and punctuation: "75-4103. (1262.3) Board of Trustees of County High School. Every county high school shall be under the general supervision and control of a board of trustees consisting of seven members, one of whom shall be the county superintendent of schools of the county wherein such county high school is located, and six of whom shall be appointed by the Board of County Commissioners of the said county. Provided, however, whenever the county commissioners receive a petition signed by fifteen per cent of the qualified electors in the county high school district requesting the election, the county commissioners of the county shall within not less than thirty days nor more than sixty days thereafter, submit to the electors in the county high school district the following question:

"Shall the board of trustees of the county high school district be elected?"

- ☐ For the election of trustees.
- ☐ Against the election of trustees.

If a majority of all of the votes cast be in favor of electing a board of trustees, then the provisions of sections 75-4104 and 75-4105 of the Revised Codes of Montana, 1947, shall no longer be applicable, but the following sections shall apply:

Four of the trustees to be elected shall come from the elementary school district in which the county high school is located, and the county commissioners and the county superintendent of schools shall immediately district the remaining portion of the county high school district into three trustee districts, and each district shall be entitled to one member on the county high school board.

The election of seven school trustees of the county high school shall be held on the first Saturday in April of every year to fill the expired terms of trustees, and the term of office of trustees after the first election of the county high school board shall be for three years. However, at the

first election, four of the trustees elected shall be residents of the elementary school district where the high school is situated and three of the trustees elected shall be residents of the respective trustee districts set up by the board of county commissioners and the county superintendent of schools.

At the first election the four trustees elected from the elementary school district where the high school is located shall cast lots to determine which two shall hold office for one year, which one for two years and which one for three years. The three trustees elected from the trustee districts set up by the board of county commissioners and the county superintendent of schools shall cast lots to determine which one shall hold office for one year, which one for two years and which one for three years.

The procedures for calling and holding elections, and for the assumption of office for first class school districts, set forth in R.C.M. 1947, section 75-1607 through 75-1613, shall govern the elections provided for in this act, the words "clerk of the district and county superintendent of schools" being synonymous with "the county clerk and recorder" when the former is used in the sections referred to, and the words "board of trustees" being synonymous with the words "county commissioners," if a majority of all the votes cast be in favor of electing a board of trustees of the county high school. Upon the election and qualification for office as hereinbefore set forth of all seven of the elected trustees, the county superintendent of schools shall no longer be a member of the board of trustees.

Any twenty-five electors qualified to vote in the election, shall file with the county clerk and recorder of the county, the nominations of as many persons as are to be elected to the county high school board at the elections herein provided for, at least twenty days preceding the election. The county clerk and recorder shall cause the names to be printed on a ballot not inconsistent with the provisions of law relating to the election of other candidates.

Every citizen of the United States of the age of twenty-one years or over who has resided in the State of Montana for one year, and thirty days in the elementary school district or the trustee district as designated above, next preceding the election, shall be eligible for the office of school trustee and entitled to vote thereat.

Absence from the school district or trustee district for sixty consecutive days, or failure to attend three consecutive meetings of the board of trustees without good cause, shall constitute a vacancy in the office of trustee. When a vacancy occurs in the county high school board from any cause whatever, the fact shall be immediately certified by the secretary of the high school board to the board of trustees of the high school who shall immediately appoint, in writing, a qualified person, resident of the school or trustee district where the vacancy occurs and who shall serve until the next election as stated herein. At the next election, a new trustee shall be elected to fill the unexpired portion of the vacated term, from the district in which the vacancy occurs.

Amend said bill by striking out in their entirety the following sections: Section 2, 3, 4, and 5;

And further amend line 4, page 4 of the original bill, being line 1, page 3 of the printed bill, after the word "section" by striking out the numeral "6" and inserting in lieu thereof the numeral "2";

And further amend line 6, page 4 of the original bill, being line 1, page 3 of the printed bill, after the word "section" by striking out the numeral "7" and inserting in lieu thereof the numeral "3."

Dated this 5th day of March, 1959.

Respectfully submitted,

RIEDER,
MANNIX,
DUSSAULT,
SHELDEN,
McGARVEY,
WALTON.

McGarvey moved for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Curry, Daniels, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Gerard, Gilfeather, Gill, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nestead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Shelden, Sheldon, Strnisha, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 78.

Noes: None.

Absent and not voting: Babcock, Corcoran, Devier, Glancy, Healy, Langston, Loughran, Paulsen, Powers, Sheehy, Tonner, Wayrynen. Total 12.

Excused: Felt, Fladager, Jardine, Loman. Total 4.
To the President of the Senate and the Speaker of the House:

We, your Conference Committee appointed to consider Senate Bill No. 169, respectfully report and recommend as follows:

That the Senate accede to all House Amendments and further amend as follows:

Amend in section 1, line 23, page 1 of the original bill, being section 1, line 7, page 1 of the printed bill, by striking out the words: "necessary for" and inserting in lieu thereof the words: "which may also include";

And further amend said section in line 29, page 1 of the original bill, being line 10, page 1 of the printed bill after the word "year" by inserting the following language: "providing that such school district tax plus federal reimbursements in lieu of taxes shall not, unless approved by a vote of the taxpaying electors, exceed the rate of levy required to produce an amount equal to the foundation program, and the additions thereto, within the limitation of the 30%, herein (matter deleted) specified";

And further amend in section 1, line 31, page 1 of the original bill, being section 1, line 11, page 1 of the printed bill, by adding between the words "equal to" and "the foundation" the following words: "any deficiency in";

And as so amended, be concurred in.

For the Senate: CLARK,
THIESSEN
MAHONEY
(Garfield),

For the House: PARKER,
NEES,
WRIGHT.

Motion was made by Parker for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emons, Eskildsen, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Picard, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 79.

Noes: None.

Absent and not voting: Elting, Healy, Langston, Loughran, McGarvey, Page (Granite), Paulsen, Powers, Schwinden, Sheehy, Wayrynen. Total 11.

Excused: Felt, Fladager, Jardine, Loman. Total 4.
To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 91, respectfully report as follows:

That Senate Amendments to House Bill No. 91 be not acceded to, but that House Bill No. 91 be amended to read as follows:

Amend section 3, line 12, page 4 of the original bill, being line 22, page 3 of the printed bill, by striking the period (.) and quotation marks (") following the word "act" and inserting a semicolon (;) and the following words: "provided, however, that in the case of counties not exceeding twenty thousand (20,000) in population, the jurisdictional limits of the city-county planning board shall not extend more than six (6) miles from the limits of any class of city or town, incorporated or unincorporated, within such county, and in counties exceeding twenty thousand (20,000) population said limits shall not extend beyond twelve (12) miles from the limits of any city or town, incorporated or unincorporated, within such county."

And as so amended, be concurred in.

For the Senate: DURKEE,
STEIN,
SMITH.

For the House: CLOWES,
PICARD,
BATTIN.

Motion was made by Battin for adoption of the Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Abel, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emons, Eskildsen, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 80.

Noes: None.

Absent and not voting: Elting, Healy, Holtz, Langston, Loughran, Paulsen, Powers, Schwinden, Sheehy, Wayrynen. Total 10.

Excused: Felt, Fladager, Jardine, Loman. Total 4.
To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to House Bill No. 307, respectfully report and recommend as follows:

That the Senate recede from its amendment to House Bill 307 and the Conference Committee recommends that the bill be concurred in without the Senate Amendment.

For the Senate: MANNING,
RUANE,
BRENNER.

For the House: SCHWINDEN,
GILFEATHER,
FELT.

Motion was made by Schwinden for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Abel, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Lees, Leuthold, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 77.

Noes: None.

Absent and not voting: Anderson, Battin, Elting, Healy, Kvaalen, Langston, Loughran, McGarvey, Paulsen, Powers, Sheehy, Shelden, Wayrynen. Total 13.

Excused: Felt, Fladager, Jardine, Loman. Total 4.

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to House Bill 303, respectfully report and recommend as follows:

That the House accede to the Senate Amendments in the title of House Bill 303 on page 1, in the 4th line of the title of the printed bill, being the same in the original bill, by striking out after the word "for" the words: "an increase in";

And further amend the Senate Amendment pertaining to lines 4, 5 and 6 of the title of the printed bill, being page 1, in lines 5, 6 and 7 of the original bill, by adding after the words "original bill" and before the word "after," the following words: "by striking out" and as amended, that the House accede to the Senate Amendment. The title of said bill as herein agreed upon shall read as follows: A bill for an act entitled: "An act to amend section 84-1501, Revised Codes of Montana, 1947, relating to corporation license tax, organizations exempt from such tax and the rate of such tax; providing for the rate of such tax; providing for taxability of all net income of domestic corporations and broadening the tax base of foreign corporations; providing an effective date for this act; and repealing all acts and parts of acts in conflict herewith."

That the Senate recedes from its proposed amendment on page 2 by striking out in their entirety lines 18, 19 and 20 and on line 21, the italicized figures, the word "dollars" and the period ".", being page 2, lines 15, 16, 17, 18 and 19 of the original bill, and that the Joint Conference Committee recommends that the bill be amended as follows by inserting in lieu thereof: "The percentage of net income to be paid under this section shall be five per centum (5%) of all net income for the taxable period, provided however, that as to all taxable periods ending on or after December 31, 1960, whether on a calendar or fiscal year basis, the percentage of net income to be paid under this act shall be four and one-half per centum (4½%)";

That House Bill No. 303 be concurred in, as amended.

For the Senate: MANNING,
RUANE,
BRENNER.

For the House: SCHWINDEN,
GILFEATHER,
FELT.

Motion was made by Gilfeather for adoption of the Conference Committee report. Report was adopted by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bashor, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Fjare, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecsek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nichols, Parker, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright. Total 71.

Noes: Nelstead, Sales. Total 2.

Absent and not voting: Anderson, Angstman, Battin, Elting, Gerard, Gleed, Healy, Loughran, McGarvey, Page (Granite), Page (Missoula), Paulsen, Picard, Powers, Sheehy, Wayrynen, Mr. Speaker. Total 17.

Excused: Felt, Fladager, Loman, Jardine. Total 4.

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee, having had under consideration Senate Amendments to House Bill No. 315, respectfully report and recommend as follows:

That the Joint Conference Committee has failed to agree on the Senate Amendments to House Bill 315, and request the President of the Senate and the Speaker of the House of Representatives to appoint a new Conference Committee on the Senate Amendments to House Bill No. 315.

For the Senate: MANNING,
RUANE,
BRENNER.

For the House: SCHWINDEN,
GILFEATHER,
FELT.

Schwinden moved for adoption of the Conference Committee report. Report was adopted as follows:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanouve, Barrett, Barnard, Barnes, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, DeWolfe, Elting, Emmons, Eskildsen, Fjare,

Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, McGaffick, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Parker, Picard, Powell, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wold. Wright, Mr. Speaker. Total 74.

Noes: Haines (Prairie), Sales. Total 2.

Absent and not voting: Bashor, Daniels, Devier, Healy, Holtz, Loughran, McGarvey, Nichols, Page (Granite), Page (Missoula), Paulsen, Powers, Sheehy, Abel. Total 14.

Excused: Felt, Fladager, Jardine, Loman. Total 4.

MESSAGES FROM THE GOVERNOR AND SENATE

March 5, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
Helena, Montana.

Dear Sir:

I have the honor to inform you that I have today approved H. B. No. 302.

However, it should be noted that section 2 of said bill makes an incomplete reference to other statutes of this state with respect to the procedure to be followed in carrying out the intent and purpose of the bill.

Reference is made to "chapter 63 of the Revised Codes of Montana, 1947, which prescribe the manner in which real property may be sold" when apparently it was intended to refer to title 93, chapter 63 of the Revised Codes of Montana, 1947, dealing with the partition of real property.

Very truly yours,
J. HUGO ARONSON, Governor.

March 5, 1959.

Hon. John J. MacDonald,
Speaker of the House of Representatives,
Helena, Montana.

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

H. B. No. 522—Introduced by the Committee on Appropriations.

H. B. No. 259—Introduced by Jardine and McGarvey.

Very truly yours,
J. HUGO ARONSON, Governor.

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 435 by Anderson et al.

House Bill No. 197 by Abel et al.

House Bill No. 183 by Aasheim et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Cerovski that Joint Rule No. 22 be revised to read as follows:

“Joint Rule 22. Transmission of Bills. No bills transmitted by the House to the Senate after the forty-fifth day nor by the Senate to the House after the forty-second day of the session, and no amendments transmitted by the House to the Senate nor by the Senate to the House after the fifty-fifth day of the Session, shall be considered, with the exception of bills considered by Joint Conference Committees. Bills from said committees may be transmitted at any time up to and including the sixtieth day.”

The Speaker referred the motion by Cerovski to the Committee on Rules, Joint Rules and Order of Business.

The following resolution was read:

HOUSE RESOLUTION NO. 11

House Resolution No. 11, introduced by: Wold, Tonner, Healy, Gundersen, Gill, Harball, Strnisha: A Resolution of the House of Representatives of the State of Montana to Dwight D. Eisenhower, President of the United States; to the Congress of the United States; to the Honorable James E. Murray and the Honorable Mike Mansfield, Senators from the State of Montana; to the Honorable Lee Metcalf and the Honorable LeRoy Anderson, Representatives from the State of Montana; to the Department of the Interior and to the Honorable Secretary of the Interior; requesting that such action be taken as may be required to place the Absaroka-Yankee Jim project under construction as early as possible.

Whereas, only one-eighth of Montana's water resources have been developed, and

Whereas, the Upper Missouri Basin states, particularly Montana, are faced with a real and critical power shortage during the years immediately ahead, and

Whereas, construction of Absaroka Dam, reservoir and power plant was authorized in the Flood Control Act of 1944, and

Whereas, Yankee Jim dam and reservoir would maintain a relatively constant pool elevation at Absaroka reservoir, thus assuring needed protection to the City of Livingston and the surrounding developed area, the railway and highway, and intensive recreational and resort use, and

Whereas, the integrated operation of Absaroka and Yankee Jim will greatly enhance firm power generation, thus increasing project revenue, and

Whereas, the rate of unemployment in Montana continues high, and

Whereas, construction of the Absaroka-Yankee Jim project would provide an estimated 4,750 man-years of on-site employment, with an additional 9,500 man-years of on-site employment in service industries,

Whereas, power made available by the project could well mean the

development of important ore deposits in this area and related industrial development, and

Whereas, feasible multi-purpose projects are fully repayable and thus pay their own way while improving the economy of the region in which they are built, and

Whereas, on March 31, 1958, the Honorable James E. Murray, United States Senator from Montana, with the support of the entire Montana Congressional delegation presented to the Committee on Interior and Insular Affairs information regarding the engineering and economic feasibility of the Absaroka-Yankee Jim project and its importance to the well-being of the State of Montana, and

Whereas, on the basis of this and other information presented at said hearing of the Interior and Insular Affairs Committee, the Senate of the United States on May 6, 1958, adopted S. Res. No. 299 recommending the prompt start of construction of urgently needed new water and power supply projects, now therefore

Be It Resolved, that the House of Representatives of the State of Montana hereby memorializes the Senate and the House of Representatives, the President, and the Secretary of the Interior to take such action as may be required to place the Absaroka-Yankee Jim project under construction at the earliest possible time, and

Be It Further Resolved, that a substantial block of power to be generated by Absaroka-Yankee Jim Dam be reserved for Montana, and

Be it Further Resolved, that copies of this material be submitted by the Chief Clerk of the House of Representatives of the State of Montana to the President of the United States, the Senate and the House of Representatives of the United States, Senator James E. Murray, Senator Mike Mansfield, Congressman Lee Metcalf, Congressman LeRoy Anderson, and to the Secretary of the Department of the Interior.

Motion was made by Wold for adoption of the Resolution. Motion carried. Resolution adopted.

The following resolution was presented by Gerard:

House Resolution No. 12, introduced by: Gerard, Anderson, Sales, Cavan. A Resolution to be forwarded to the Honorable Senate and House of Representatives of the United States in Congress assembled urging that fifteen per cent (15%) of all federal income taxes paid into the federal treasury by the public in the State of Montana and the various other states be retained in the State of Montana and the various other states to be placed in the general funds of the respective states and that a reduction of fifteen per cent (15%) be made in federal grants in aid connected with state legislative appropriations, to the State of Montana and the various other states.

Whereas, we, the House of Representatives of Montana, as assembled in its Thirty-sixth Session, do respectfully represent: that,

Whereas, the State of Montana and the other states of the United States of America are confronted with difficult fiscal problems in connection with their respective general funds because of the loss of revenue potential which has been precipitated by the heavy tax loads enacted by the United States Congress on the taxpaying public of the various states, and

Whereas, the tax sources have been thoroughly exploited to the saturation point, and

Whereas, the state governments are unable to match many of the

federal funds available to the states because of insufficient state revenue income for matching funds, and

Whereas, the states have very little or no control in the manner in which these matching funds are appropriated and expended, and

Whereas, a reduction in federal expenditures would be accomplished, and at the same time make available urgently needed funds to the general fund of the State of Montana, and the general funds of the various other states of the United States.

Now, Therefore, Be It Resolved, by the House of Representatives of the State of Montana that we most respectfully urge upon the Congress of the United States of America that fifteen per cent (15%) of all federal income taxes paid into the federal treasury by the public in the State of Montana and the various other states be retained in the State of Montana and the various other states to be placed in the general funds of the respective states.

Be It Further Resolved, that a reduction of fifteen per cent (15%) be made in federal grants in aid connected with state legislative appropriations, to the State of Montana and the various other states.

Be It Further Resolved, that the House of Representatives of the State of Montana respectfully requests that the governors of the various states urge their respective states to take similar action.

Be It Further Resolved, that the Chief Clerk of the House of Representatives of the State of Montana be authorized and he is hereby directed to immediately forward certified copies of this resolution to the Senate and the House of Representatives of the United States of America, to the Senators and the Representatives in Congress from this state, and to the governors of all of the forty-nine states and the Territory of Hawaii.

Motion was made by Gerard for adoption of the above resolution. Motion carried. Resolution adopted.

The following Resolution was read:

House Resolution No. 13, introduced by: Bardanouve, Strnisha. A Resolution urging the State Board of Land Commissioners to follow the policy of advertising, in county newspapers, a list of state lands in that county upon which leases expire on February 28, as provided by section 81-408 of the Revised Codes of Montana, 1947.

Whereas, all leases for agricultural lands and grazing lands shall expire on February 28 within ten years from the date on which the lease becomes effective, in accordance with section 81-408 of the Revised Codes of Montana, 1947;

Now, Therefore, Be It Resolved, by the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana, that the State Board of Land Commissioners be urged to cause to be published in the official county newspaper of each county wherein there are state agricultural lands and grazing lands upon which leases expire in any year, a list of such state lands upon which leases expire on February 28 of that year, said publication to be for two (2) successive weeks during the preceding December.

Be It Further Resolved, that a copy of this resolution be submitted to the said State Board of Land Commissioners.

Motion was made by Bardanouve for adoption of the above resolution. Motion carried. Resolution adopted.

THIRD READING OF HOUSE BILLS

The following bills, having been read three several times, appropriation measure at length, title and history agreed to, were disposed of in the following manner:

House Bill No. 543 was passed by the following vote:

Ayes: Anderson, Barnard, Battin, Bradford, Cavan, Cerovski, Daniels, DeWolfe, Eskildsen, Fjare, Gill, Glancy, Gunderson, Harball, Hawks, Healy, Holtz, Jensen, Langston, Lees, McGaffick, McGarvey, McOmber, Mernin, Page (Granite), Parker, Picard, Powers, Regan, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Wayrynen, Wood, Woodring, Wold, Wright. Total 41.

Noes: Aasheim, Angstman, Babcock, Bardanouve, Barnes, Bashor, Bentz, Broeder, Clowes, Corcoran, Curry, Elting, Emmons, Gerard, Glead, Haines (Prairie), Haines (Missoula), Hanks, Higham, Holecek, Howard, Karlberg, Kiff, Kolar, Kvaalen, Leuthold, Loughran, McNally, Morrison, Moudree, Nees, Nelstead, Page (Missoula), Paulsen, Powell, Reeder, Reinecke, Sales, Walton. Total 39.

Absent and not voting: Abel, Barrett, Casey, Devier, Gilfeather, Helding, Nichols, Raundal, Sheehy, Mr. Speaker. Total 10.

Excused: Felt, Fladager, Jardine, Loman. Total 4.

Cerovski requested the unanimous consent of the House to amend the title of House Bill No. 544 by deleting the following therefrom: "providing an effective date and." There being no objection, the title was so amended.

House Bill No. 544 was passed by the following vote, as amended:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Elting, Emmons, Eskildsen, Fjare, Gerard, Gilfeather, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Helding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loughran, McGaffick, McGarvey, McNally, McOmber, Mernin, Morrison, Moudree, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Schwinden, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wayrynen, Wood, Woodring, Wright, Mr. Speaker. Total 84.

Noes: None.

Absent and not voting: Aashiem, Barrett, Nichols, Sales, Sheehy, Wold. Total 6.

Excused: Felt, Fladager, Jardine, Loman. Total 4.

REPORT OF CONFERENCE COMMITTEES

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee appointed to consider Senate Amendments to Substitute House Bill No. 15, respectfully recommend as follows:

That Substitute H. B. No. 15 be amended on page 3, line 12 of the original bill, being page 2, section 4, line 5 of the printed bill, by striking out the words and figures "two (\$2.00)" and inserting in lieu thereof the words and figures "three (\$3.00)";

That the following amendment be acceded to: Amend the title by strik-

ing out in line 7 of the original bill, being line 4 of the printed bill, the words: "Montana State Board of Equalization" and inserting in lieu thereof the words: "Fish and Game Commission of the State of Montana";

That the following amendment be acceded to: Amend section 2, subsection (1) by striking out in line 31, page 1 of the original bill, being line 5, page 1 of the printed bill, the words: "the Montana State Board of Equalization," and inserting in lieu thereof the words: "The Fish and Game Commission of the State of Montana";

That the following amendment be acceded to: And further amend section 2, in subsection (7) by striking out in line 23, page 2 of the original bill, being line 22, page 2 of the printed bill, after the second "the" the remainder of said section and inserting in lieu thereof the words: "Fish and Game Commission of the State of Montana.";

That the following amendment be acceded to: And further amend the body of said bill in section 4, subsection (g) by striking out in line 9, page 5 of the original bill, being line 46, page 3 of the printed bill, the period following the word "records," and inserting in lieu thereof a semicolon ";," followed by the words: "provided that the board shall submit to the Registrar of Motor Vehicles of this state, correct copies of all certificates of registration issued pursuant to this act; and provided further that said registrar shall make said records immediately available to all law enforcement offices of this state.";

That the following amendment be receded from: "And further amend section 4, subsection (h) by striking out in line 12, page 5 of the original bill, being line 48, page 3 of the printed bill, after the word 'exceed' the word 'three' and inserting in lieu thereof the word: 'one'";

That the following amendment be acceded to: Amend section 8 by striking out in subsection (f) in line 23, page 9 of the original bill, following the word "boats" the following words: "and persons in motor boats pulling skiers";

And that Substitute House Bill No. 15 as amended be concurred in.

For the Senate: GOODWIN,
SIDERIUS,
SAGUNSKY,

For the House: LEES,
WOLD,
KVAALLEN.

Lees moved that the Conference Committee report be adopted. Report adopted by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Bardanoue, Barnard, Bashor, Battin, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, DeWolfe, Elting, Emmons, Gerard, Gill, Glancy, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Healy, Hingham, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loughran, McGaffick, McNally, Morrison, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Raundal, Reeder, Regan, Reinecke, Rindy, Sales, Shea, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 67.

Noes: Abel, Eskildsen, Holding, Mernin, Moudree, Powers, Sheldon. Total 7.

Absent and not voting: Barrett, Barnes, Devier, Fjare, Gilfeather, Glead, Gunderson, Holecek, McGarvey, McOmber, Nichols, Powell, Schwinden, Sheehy, Shelden, Wayrynen. Total 16.

Excused: Felt, Fladager, Jardine, Loman. Total 4.

To the President of the Senate and the Speaker of the House:

We, your Conference Committee on Senate Amendments to House Bill No. 437, do hereby submit the following report:

That the House accede to the Senate Amendments to House Bill No. 437, dated March 5, 1959.

Respectfully submitted:

For the Senate: BOVEY,
LA COMBE,
BALGORD.

For the House: McGARVEY,
BATTIN,
JARDINE.

Motion was made by McGarvey for adoption of the Conference Committee report. Motion carried, and report adopted by the following vote:

Ayes: Abel, Anderson, Angstman, Babcock, Bardanouve, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, Daniels, Devier, DeWolfe, Emmons, Eskildsen, Gerard, Gilfeather, Glancy, Haines (Prairie), Haines (Missoula), Hanks, Harball, Hawks, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kolar, Kvaalen, Leuthold, Loughran, McGarvey, McNally, Morrison, Moudree, Nees, Nelstead, Nichols, Page (Missoula), Parker, Paulsen, Powell, Powers, Raundal, Reeder, Regan, Reinecke, Rindy, Shea, Sheehy, Shelden, Sheldon, Strnisha, Tonner, Wood, Woodring, Wright. Total 67.

Noes: None.

Absent and not voting: Aasheim, Barrett, Casey, Elting, Fjare, Gill, Glead, Gunderson, Healy, Kiff, Langston, Lees, McGaffick, McOmber, Mernin, Page (Granite), Picard, Sales, Schwinden, Walton, Wayrynen, Wold, Mr. Speaker. Total 23.

Excused: Felt, Fladager, Jardine, Loman. Total 4.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Joint Resolution No. 3, House Bills Nos. 249, 103, 155, 34.

SCHWINDEN,

I have examined House Bill No. 155, introduced by the Committee on Judiciary and find the same to be correct.

DANIELS, Chairman.

I have examined House Bill No. 249, introduced by the Committee on Highways and Highway Transportation and find the same to be correct.

WOOD, Chairman.

I have examined House Bill No. 34, introduced by Haines (Missoula) et al and find the same to be correct.

HAINES (Missoula).

I have examined House Bill No. 103, introduced by Battin et al and find the same to be correct.

BATTIN.

I have examined House Joint Resolution No. 3, introduced by Leuthold et al and find the same to be correct.

LEUTHOLD.

LEGISLATIVE COUNCIL APPOINTMENTS

The Speaker appointed the following to the interim Legislative Council: Barrett of Liberty, Gilfeather of Cascade, Schwinden of Roosevelt, Howard of Missoula, Nichols of Ravalli and Cavan of Yellowstone.

CONFERENCE COMMITTEE APPOINTMENTS

The following were appointed to serve on the Conference Committee to confer with a like committee from the Senate on Senate Amendments to House Bill No. 315: Gilfeather, Schwinden and Nichols.

The Speaker signed the following bills in open session, the titles having first been read: House Joint Resolution No. 3, House Bills Nos. 155, 249, 34, and 103.

Cerovski moved that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 314, 231, 232, 93, 376, Sub. 201, Sub. 297, 460, 194, 208, 85, Sub. 123, H.J.M. 5, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day delivered to the Governor for his approval.

JARDINE, Chairman.

REPORT OF CONFERENCE COMMITTEES

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 29, respectfully report as follows:

That the Joint Conference Committee has failed to agree on Senate Amendments to House Bill No. 29, and request the President of the Senate and the Speaker of the House of Representatives to appoint a new Conference Committee on the Senate Amendments to House Bill No. 29.

For the Senate: DURKEE,
MAHONEY
(Sanders),
McDONNELL,

For the House: JARDINE,
SHEEHY,
PAULSEN.

Paulsen moved for adoption of the Conference Committee report.

Substitute motion was made by Sheehy that the Committee report be not adopted and that the House accede to the Senate Amendments. Sheehy requested a Call of the House and asked for sufficient seconds. There being the requisite number of seconds, the Speaker ordered a Call of the House. Upon completion of roll call, progress having been reported, Sheehy moved that the Call of the House be dispensed with. Motion carried.

Substitute motion by Sheehy carried by the following vote:

Ayes: Anderson, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, DeWolfe, Felt, Gerard, Gill, Glancy, Gleed, Haines (Prairie), Haines (Missoula), Hawks,

Higham, Howard, Jensen, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McGaffick, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Powell, Regan, Reinecke, Sales, Shea, Sheehy, Shelden, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 53.

Noes: Aasheim, Angstman, Bardanouve, Bradford, Daniels, Devier, Elting, Emmons, Eskildsen, Fladager, Gilfeather, Gunderson, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Karlberg, Langston, McGarvey, McOmber, Moudree, Nees, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Sheldon, Strnisha, Tonner, Wold. Total 35.

Absent and not voting: Abel, Casey, Fjare, McNally, Wayrynen. Total 5.

Excused: Mernin. Total 1.

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee, appointed to consider House Amendments to Senate Bill No. 76, respectfully report and recommend as follows:

That the House recede from all House Amendments.

For the Senate: HOFLAND,
STREETER,
McKENNA
(Judith Basin),

For the House: PICARD,
GILL,
FLADAGER.

Motion was made by Picard for adoption of the Conference Committee report. Motion carried and report adopted by the following vote:

Ayes: Aasheim, Anderson, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Corcoran, Curry, DeWolfe, Emmons, Felt, Fladager, Gerard, Gill, Glancy, Glead, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McOmber, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Picard, Powell, Reeder, Regan, Reinecke, Sales, Shea, Shelden, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wold, Wright, Mr. Speaker. Total 68.

Noes: Holding, McGarvey, Moudree, Powers. Total 4.

Absent and not voting: Abel, Angstman, Bardanouve, Casey, Clowes, Daniels, Devier, Elting, Eskildsen, Fjare, Gilfeather, Haines (Missoula), Jardine, McNally, Nees, Paulsen, Raundal, Rindy, Schwinden, Sheehy, Wayrynen. Total 21.

Excused: Mernin. Total 1.

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee appointed to consider Senate Amendments to House Bill No. 424, beg leave to report that we recommend that the Senate recede from Senate Amendments to House Bill No. 424.

For the Senate: NIXON,
McKENNA,
ANDERSON.

For the House: McOMBER,
PAGE (Granite),
HAINES
(Missoula).

Motion was made by McOmber for adoption of the Conference Committee report. Motion carried and report adopted by the following vote:

Ayes: Aasheim, Anderson, Angstman, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Corcoran, Curry, DeWolfe, Elting, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Hanks, Harball, Hawks, Healy, Holding, Higham, Holecek, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McOmber, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 75.

Noes: None.

Absent and not voting: Abel, Bardanouve, Casey, Clowes, Daniels, Devier, Emmons, Fjare, Haines (Missoula), Holtz, Jardine, McGarvey, McNally, Moudree, Nees, Raundal, Wayrynen, Wold. Total 18.

Excused: Mernin. Total 1.

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee appointed to consider Senate Substitute to Substitute House Bill No. 426, respectfully report as follows: That the Conference Committee appointed by the House and Senate was unable to agree and beg leave to be discharged and recommend that a new Conference Committee consisting of three members of the House and three members of the Senate be appointed.

For the Senate: BELEY.

For the House: BARDANOUE,
LEUTHOLD,
GILL.

Motion was made by Cerovski that the Committee report be adopted. Motion carried and report adopted as follows:

Ayes: Aasheim, Anderson, Angstman, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Cerovski, Corcoran, Curry, DeWolfe, Elting, Emmons, Eskildsen, Felt, Fladager, Gerard, Gilfeather, Gill, Glancy, Gleed, Haines (Prairie), Harball, Hawks, Healy, Holding, Higham, Holecek, Holtz, Howard, Jensen, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGaffick, McOmber, Morrison, Moudree, Nelstead, Nichols, Page (Granite), Page (Missoula), Parker, Paulsen, Picard, Powell, Powers, Reeder, Regan, Reinecke, Rindy, Sales, Schwinden, Shea, Sheehy, Sheldon, Strnisha, Tonner, Walton, Wood, Woodring, Wright, Mr. Speaker. Total 76.

Noes: None.

Absent and not voting: Abel, Bardanouve, Casey, Clowes, Daniels, Devier, Fjare, Gunderson, Haines (Missoula), Hanks, Jardine, McGarvey, McNally, Nees, Raundal, Wayrynen, Wold. Total 17.

Excused: Mernin. Total 1.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Employment, recommend that the following named House Employees, heretofore employed by the Employment Committee of the House, are to be employed for the post session for the number of days stated below and to take effect after adjournment.

The Sergeant-at-Arms is instructed to include their names on the supplemental payroll submitted to the state auditor, for the number of days stated below:

	Days
Claude Gray—Sergeant-at-Arms.....	15
Allen Donohue—Chief Clerk.....	15
Rosemary Acher—Journal Clerk.....	14
Billie Tobin—Assistant Journal Clerk.....	14
Grace B. Johnson—Pay Roll Clerk.....	7
Marabeth King—Sec. to Sergeant-at-Arms.....	7
Vivian Sletten—Bill Clerk.....	5
Monte Highland—Sec. to Speaker.....	7
Marian Marshall—Sec. to Floor Leader.....	7
Ray Riddle—Asst. Chief Clerk.....	10
Veda Richardson—Clerk to Chief Clerk.....	7
William Orsello—Asst. Sergeant-at-Arms.....	5
Tom Hackley—Asst. Sergeant-at-Arms.....	5
Edna Gillis—Asst. Bill Clerk.....	5
Jo Thiele—Chief Steno Pool.....	5
Agnes Screnar—Chief Mimeo.....	3
Ila Dousman—Enrolling.....	5
Doris Forsell—Asst. Enrolling.....	5
Esther Schmidt—Enrolling.....	3
Clara Dahl—Enrolling.....	3
Alice Amundson—Enrolling.....	3
Julia Rigler—Engrossing.....	7
Etta Cummings—Engrossing Chief.....	5
Hazel Janes—Engrossing.....	3
Inez Scow—Engrossing.....	3
Shirley Sautter—Engrossing.....	3
Mona G. Swan—Proceedings Typist.....	3
Dorothy Quinn—Journal Typist.....	5
Corrine Whitcomb—Status Typist.....	4
Lee Moe—Janitor.....	5
John Sullivan—Janitor.....	5
Yvonne Borgmann—Sec. to Appropriations Committee.....	3
Judy Andrew—Steno Pool.....	3
Linda Kelly—Steno Pool.....	3
Rose Weber—Steno Pool.....	3
Mae Mann—Steno Pool.....	3
C. A. Ryan—Printing.....	3

We, your Committee on Employment, due to an oversight, dropped the name of Marguerite Maxwell, clerk in the law department, as of yesterday and ask that she be given three days in order to complete her work.

That the Honorable John J. MacDonald, Speaker of the House, be allowed mileage incident to his services for signing of the Journal of the House for the Thirty-sixth Legislative Assembly, from Jordan to Helena, Montana, and returning: \$46.20.

LOUGHRAN, Chairman.

Report adopted.

MESSAGE FROM THE SENATE

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion requested that the House return to the Senate, House Bill No. 330.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

Motion was made by Parker, having voted on the prevailing side, that the House reconsider its previous action in not adopting the Conference Committee report on Senate Amendments to House Bill No. 29.

Substitute motion was made by Wood that the motion by Parker be laid on the table. Sheehy requested a roll call vote and the required number of seconds arose. Schwinden asked for a Call of the House and there being a sufficient number of seconds, the Speaker ordered a Call of the House. Upon completion of roll call, progress having been reported, Schwinden moved that the Call of the House be dispensed with. Motion carried. Substitute motion by Wood carried by the following vote:

Ayes: Anderson, Babcock, Barnard, Barnes, Bashor, Battin, Bentz, Broeder, Cavan, Cerovski, Clowes, Corcoran, Curry, DeWolfe, Felt, Gerard, Glancy, Gleed, Gunderson, Haines (Prairie), Haines (Missoula), Hawks, Higham, Howard, Jensen, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McOmber, Morrison, Nelstead, Nichols, Page (Granite), Page (Missoula), Paulsen, Powell, Regan, Reinecke, Sales, Shea, Sheehy, Walton, Wood, Wright, Mr. Speaker. Total 49.

Noes: Aasheim, Angstman, Barrett, Bradford, Daniels, Devier, Elting, Emmons, Eskildsen, Fladager, Gilfeather, Gill, Hanks, Harball, Healy, Holding, Holecek, Holtz, Jardine, Karlberg, Langston, McGaffick, McGarvey, Moudree, Nees, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Shelden, Sheldon, Strnisha, Tonner, Woodring, Wold. Total 37.

Absent and not voting: Abel, Bardanouve, Casey, Fjare, McNally, Parker, Wayrynen. Total 7.

Excused: Mernin. Total 1.

McGarvey moved that the House accede to the request of the Senate and return to that body House Bill No. 330. Motion carried.

REPORT OF CONFERENCE COMMITTEE

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee, after having had under consideration Senate Amendments to Substitute House Bill No. 455, respectfully report as follows:

That the House accede to Senate Amendments to Substitute House Bill No. 455, and that a resolution be presented in the House and the Senate requesting the Montana Legislative Council to study the salaries paid to various appointed officers, administrative heads of bureaus, boards or commissions of the State of Montana, and to further study the consolidation of boards, bureaus and commissions.

For the Senate: CARNEY,
MACKAY,
LEHRKIND.

For the House: BARDANOUE,
NICHOLS.

Motion was made by Nichols for adoption of the Committee report. Motion carried and report adopted by the following vote:

Ayes: Anderson, Angstman, Babcock, Barrett, Barnard, Bentz, Bradford, Cavan, Clowes, Corcoran, Curry, DeWolfe, Elting, Felt, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Hawks, Healy, Higham, Holecek, Howard, Jensen, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McOmber, Morrison, Nelstead, Nichols, Page (Granite), Page (Mis-

soula), Powell, Reeder, Regan, Reinecke, Sales, Shea, Shelden, Sheldon, Strnisha, Walton, Wood, Wright, Mr. Speaker. Total 52.

Noes: Bardanouve, Barnes, Bashor, Broeder, Cerovski, Daniels, Devier, Eskildsen, Haines (Prairie), Hanks, Harball, Holding, Jardine, Karlberg, McGarvey, Moudree, Picard, Powers, Raundal, Rindy, Schwinden, Tonner. Total 22.

Absent and not voting: Aasheim, Abel, Battin, Casey, Emmons, Fjare, Gilfeather, Haines (Missoula), Holtz, Lees, McGaffick, McNally, Nees, Parker, Paulsen, Sheehy, Wayrynen, Woodring, Wold. Total 19.

Excused: Mernin. Total 1.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed a new Conference Committee to confer with a like committee from the Senate on Senate Substitute to Substitute House Bill No. 426: Gill, Bardanouve and Kvaalen.

Motion was made by Cerovski that the House recess subject to the Call of the Chair.

House recessed.

House resumed.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 168, 191, 157, 171, 317, Sub. 333, 221, 415, Sub. 80, 448, 50, 242, 192, 248, 32, 237, 439, 412, H.J.M. No. 7, H.J.R. No. 4, 437, 532, 215, Senate Sub. for H. B. 381, Senate Sub. for H. B. 31, Sub. 53, 167, Sub. 293, 535, 197, 254, 118, Sub. 305, Senate Sub. for H. B. 312, 177, 44, 435, 346.

JARDINE, Chairman.

I have examined Senate Sub. for House Bill No. 31 introduced by the Committee on Judiciary, and find the same to be correct.

DANIELS, Chairman.

I have examined House Bill No. 32, introduced by Wood et al and find the same to be correct.

WOOD.

I have examined House Bill No. 44, introduced by Barnard et al and find the same to be correct.

BARNARD.

I have examined House Bill No. 50, introduced by Powers et al and find the same to be correct.

POWERS.

I have examined Sub. House Bill No. 53, introduced by the Committee on Education and find the same to be correct.

PARKER, Vice-Chairman.

I have examined Sub. House Bill No. 80, introduced by the Committee on Judiciary and find the same to be correct.

DANIELS, Chairman.

I have examined House Bill No. 118, introduced by Paulsen and find the same to be correct.

PAULSEN.

I have examined House Bill No. 157, introduced by Barrett et al and find the same to be correct.

BARRETT.

I have examined House Bill No. 167, introduced by the Committee on Education and find the same to be correct.

PARKER, Vice-Chairman.

I have examined House Bill No. 168, introduced by the Committee on Education and find the same to be correct.

BARRETT, Chairman.

I have examined House Bill No. 171, introduced by Picard et al and find the same to be correct.

PICARD.

I have examined House Bill No. 177, introduced by Hanks and Babcock and find the same to be correct.

HANKS.

I have examined House Bill No. 191, introduced by Sheehy et al and find the same to be correct.

SHEEHY.

I have examined House Bill No. 192, introduced by McGarvey and find the same to be correct.

McGARVEY.

I have examined House Bill No. 197, introduced by Abel et al and find the same to be correct.

ABEL.

I have examined House Bill No. 215, introduced by Hawks and find the same to be correct.

HAWKS.

I have examined House Bill No. 221, introduced by Barrett et al and find the same to be correct.

BARRETT.

I have examined House Bill No. 237, introduced by Sheehy et al and find the same to be correct.

SHEEHY.

I have examined House Bill No. 242, introduced by MacDonald and find the same to be correct.

MacDONALD.

I have examined House Bill No. 248, introduced by the Committee on Highways and Highway Transportation and find the same to be correct.

WOOD, Chairman.

I have examined House Bill No. 254, introduced by Broeder et al and find the same to be correct.

BROEDER.

I have examined Sub. House Bill No. 293, introduced by the Committee on Education and find the same to be correct.

PARKER, Vice-Chairman.

I have examined Sub. House Bill No. 305, introduced by the Committee on Liquor Control and find the same to be correct.

REEDER.

I have examined Senate Sub. for Sub. House Bill No. 312, introduced by the Committee on Military Affairs and find the same to be correct.

BARRETT, Vice-Chairman.

I have examined House Bill No. 317, introduced by Battin et al and find the same to be correct.

BATTIN.

I have examined Sub. House Bill No. 333, introduced by the Committee on Workmen's Compensation and find the same to be correct.

McGARVEY.

I have examined House Bill No. 346, introduced by Babcock et al and find the same to be correct.

BABCOCK.

I have examined Senate Sub. for House Bill No. 381, introduced by the Senate Committee on Irrigation and Water Conservation and find the same to be correct.

McOMBER.

I have examined House Bill No. 412, introduced by Felt and Wood and find the same to be correct.

WOOD.

I have examined House Bill No. 415, introduced by Higham and find the same to be correct.

HIGHAM.

I have examined House Bill No. 435, introduced by Anderson and find the same to be correct.

ANDERSON.

I have examined House Bill No. 437, introduced by McGarvey and find the same to be correct.

McGARVEY.

I have examined House Bill No. 439, introduced by Daniels and find the same to be correct.

DANIELS.

I have examined House Bill No. 448, introduced by Casey, Barnard and Holding and find the same to be correct.

BARNARD.

I have examined House Bill No. 532, introduced by Barnard and find the same to be correct.

BARNARD.

I have examined House Bill No. 535, introduced by Barnard and find the same to be correct.

BARNARD.

I have examined House Joint Resolution No. 4, introduced by Devier and find the same to be correct.

DEVIER.

I have examined House Joint Memorial No. 7, introduced by Tonner et al and find the same to be correct.

TONNER.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 168, 191, 157, 171, 317, Sub. 333,

221, 415, Sub. 80, 448, 50, 242, 192, 248, 32, 237, H.J.M. No. 7, H.J.R. No. 4, 439, 412, 437, 532, 215, Senate Sub. for H. B. 381, Senate Sub for H. B. 31, Sub. 53, 167, Sub. 293, 535, 197, 254, 118, Sub. 305, Senate Sub for H. B. 312, 177, 44, 435, 346.

COMMUNICATIONS

Mr. John J. MacDonald, Speaker,
House of Representatives,
Helena, Montana.

Dear Mr. Speaker:

This is the second session at which a regular student-legislative service has been authorized for the convenience of student groups visiting the State Capitol during the legislative session, and a report of the functions of that service is due to the House members.

During the session there was handled 151 separate groups, the total number of students being 5,241. The number of students attending during this session was 46% in excess of the number visiting two years ago. The largest number attending in any one day was on February 11 when twelve groups visited the assembly with 441 students. The group traveling the farthest was from Fairview; they traveled approximately 1,064 miles to and from Helena.

The service this year included:

First: A lecture on legislative procedure from the time a bill was introduced to the time it was filed with the secretary of state. Also, the regular order of business of both the House and the Senate was discussed.

Second: The students were told of the life of Charley Russell, and those paintings and water colors that were of particular historical significance were described in detail. The tours through the Capitol building were greatly curtailed because of the increased number of students, but in all cases the painting in the House Chamber was described in detail.

Third: A short statement of the Lewis and Clark expedition was given in connection with a description of the Lewis and Clark diorama in the Historical Museum.

Fourth: All of the students were given ample opportunity to ask questions concerning the life of Charley Russell, the Lewis and Clark expedition and legislative procedure.

One of the principal reasons for the greatly increased number of students was the fact that the State Superintendent of Public Instruction was informed of the nature of this service and she immediately sent to each junior and senior high school in the state a statement of the service rendered, and requested that students be allowed to attend.

We have received dozens of letters from various groups in appreciation of this service which has been inaugurated by you.

I take this opportunity to thank the members of the House, the members of the Senate, Claude C. Gray, Sergeant-at-Arms of the House of Representatives, William P. Pilgeram, Sergeant-at-Arms of the Senate, and the thousand of students for the many courtesies extended to me.

JOHN JACOB JEWELL.

Motion was made by Cerovski that the report of John J. Jewell be spread upon the Journal. Motion carried.

REPORT OF CONFERENCE COMMITTEE

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee having had under consideration House Amendment to Senate Bill No. 168, respectfully report and recommend as follows:

That the House recede from the House Amendment to Senate Bill No. 168.

For the Senate: CUMMING,
NEES,
COLE.

For the House: MCGARVEY,
BROEDER.

Motion was made by McGarvey for adoption of the Conference Committee report. Motion carried and report adopted by the following vote:

Ayes: Abel, Barnes, Bentz, Bradford, Casey, Cavan, Cerovski, Clowes, Devier, DeWolfe, Fladager, Glancy, Haines (Prairie), Harball, Holding, Holecek, Holtz, Howard, Jensen, Karlberg, Kolar, Kvaalen, Lees, Leuthold, Loughran, McGarvey, Mernin, Nees, Nelstead, Page (Missoula), Parker, Powell, Powers, Raundal, Reinecke, Rindy, Sales, Sheehy, Shelden, Sheldon, Strnisha, Wood, Wold, Mr. Speaker. Total 44.

Noes: Anderson, Babcock, Bardanouve, Battin, Broeder, Elting, Felt, Gerard. Total 8.

Absent and not voting: Aasheim, Angstman, Barrett, Barnard, Bashor, Corcoran, Curry, Daniels, Emmons, Eskildsen, Fjare, Gilfeather, Gill, Gleed, Gunderson, Haines (Missoula), Hanks, Hawks, Healy, Higham, Jardine, Kiff, Langston, Loman, McGaffick, McNally, McOmber, Morrison, Moudree, Nichols, Page (Granite), Paulsen, Picard, Reeder, Regan, Schwinden, Shea, Tonner, Walton, Wayrynen, Woodring, Wright. Total 42.

Excused: None.

MESSAGES FROM THE SENATE

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on substitute motion this day, the Senate rejected the Conference Committee on Senate Substitute for Substitute House Bill No. 426 request for a new Conference Committee.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that since the Joint Conference Committee failed to agree on Senate Amendments to House Bill No. 315, the President was requested to appoint a new Conference Committee of three and request that a like House Committee be appointed by the Speaker of the House to confer on House Bill No. 315.

The President appointed the following members to serve on this committee: Ringling, chairman; Ruane, Streeter.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

MOTIONS AND RESOLUTIONS

The following Resolution was read:

House Resolution No. 14, introduced by Bardanoue, McOmber: A Resolution of the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana directing the Legislative Council to study the consolidation and organization of state boards, bureaus, departments, and commissions, and to study the salaries paid to the various officers and administrative heads of bureaus, boards, or commissions.

Whereas, the special committee to investigate the consolidating of boards, bureaus, and departments made recommendations as to consolidation of various boards, bureaus and departments, some of which were enacted into law; and

Whereas, the committee recommended that further study should be made by the Legislative Council; and

Whereas, the committee appointed to study the salaries paid to administrative heads recommended that revision of the salary schedule is necessary so that the various officials and administrators might be paid salaries commensurate with their duties and responsibilities, but no agreement has been reached on a salary schedule;

No, Therefore, Be It Resolved, that the Legislative Council be directed to study the organization of state boards, bureaus, departments and commissions and make recommendations for consolidation of these boards, bureaus, commissions, and departments as they see fit; and

Be It Further Resolved, that the Legislative Council study the salaries of the administrative heads; and

Be It Further Resolved, that the Legislative Council present its findings and recommendations if any to the Thirty-seventh Legislative Assembly.

Motion was made by Bardanoue for adoption of the above Resolution. Motion carried. Resolution adopted.

The following Resolution was read:

House Resolution No. 15, introduced by Gerard, Cerovski: A Resolution of the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana providing for the manner of caring for the records of legislative committees.

Whereas, the records, minutes and other material gathered by legislative committees have considerable historical value and provide valuable sources for research into the legislative process; and

Whereas, it is desired that these records, minutes and other material be stored in a safe place where they will be available to historians and future legislative assemblies;

Now, Therefore, Be It Resolved, that the House of Representatives of the State of Montana take the proper steps to insure that all minutes, records and other material accumulated by all committees of the House, with the exception of the special investigating committees, be stored in

the Historical Library, which minutes, records and material shall be available to future legislative assemblies, if needed,

Be It Further Resolved, that the records, minutes and other materials accumulated by the various special investigating committees of the House of Representatives be transmitted to the offices of the Legislative Council for retention there during the ensuing interim to enable said Legislative Council to effectively carry out the mandate of House Resolution No. 7 directing said Legislative Council to maintain surveillance upon the departments of state government to observe if reprisals are taken against employees supplying testimony to the assembly or any of its members,

Be It Further Resolved, that said minutes, records and other material so transmitted to the Legislative Council shall be forwarded to the Historical Library for storage when the Thirty-seventh Legislative Session adjourns and shall there be available by future legislative assemblies, if needed.

Motion was made by Gerard for adoption of the above Resolution. Motion carried. Resolution adopted.

REPORTS OF STANDING COMMITTEES

March 5, 1959.

Mr. Speaker:

We, your Committee on Employment, recommend that the following named House employee be dropped from the payroll as of March 5, 1959:

Francis Mitchell, Reading Clerk.

Respectfully,
LOUGHRAN, Chairman.

Report adopted.

Cerovski moved that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed.

MESSAGES FROM THE SENATE

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 537 by Committee on Appropriations.

House Bill No. 530 by Chairman of the Appropriations Committee.

House Bill No. 306 by Barrett, Hawks.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate moved to reconsider the Joint Conference Committee report on

Senate Substitute to Substitute House Bill No. 426 and the President was authorized to appoint a new Joint Conference Committee to confer with a like committee from the House. The President appointed the following Joint Conference Committee to confer on Senate Substitute to Substitute House Bill No. 426; Beley, chairman; Brownfield, Brenner.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on third reading this day adopted the Joint Conference Committee's reports on the following House Bills and Senate Bills:

House Bill No. 303.

House Bill No. 307.

House Bill No. 91.

House Bill No. 170.

House Bill No. 437.

House Bill No. 255.

House Bill No. 424.

Substitute House Bill No. 15.

Substitute House Bill No. 455.

Senate Bill No. 169.

Senate Bill No. 76.

Senate Bill No. 168.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and not concurred in and the same is herewith returned to the House:

House Bill No. 330 by Page (Missoula) et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 527 by Committee on Appropriations.

Substitute House Bill No. 538 by Committee on Appropriations.

House Bill No. 524 by Committee on Appropriations.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 91, 43, 303, 307, 255, Sub. 358, 183, Sub. 305, Sub. 15 and Senate Sub. for H. B. 107.

JARDINE, Chairman.

I have examined House Bill No. 255, introduced by McGarvey et al and find the same to be correct.

McGARVEY.

I have examined Sub. House Bill No. 15, introduced by the Committee on Public Health, Morals and Safety and find the same to be correct.

PAGE (Granite), Vice-Chairman.

I have examined House Bill No. 43, introduced by Barnard et al and find the same to be correct.

BARNARD.

I have examined House Bill No. 91, introduced by Battin, Bradford et al and find the same to be correct.

BRADFORD.

I have examined Senate Sub. for House Bill No. 107, introduced by the Committee on Highways and Highway Transportation and find the same to be correct.

BRADFORD, Vice-Chairman.

I have examined House Bill No. 183, introduced by me and find the same to be correct.

AASHEIM.

I have examined House Bill No. 303, introduced by Gilfeather, Gunder-son et al and find the same to be correct.

GUNDERSON.

I have examined Sub. House Bill No. 305, introduced by the Committee on Liquor Control and find the same to be correct.

REEDER, Chairman.

I have examined House Bill No. 307, introduced by Gilfeather, Wood, Holtz et al and find the same to be correct.

HOLTZ.

I have examined Sub. House Bill No. 358, introduced by the Committee on Social Security and find the same to be correct.

PARKER, Chairman.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 91, 43, 303, 307, 255, 183, Sub. 15, Sub. 305, Sub. 358, Senate Sub. for H. B. 107.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a

Committee of the Whole for consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Aasheim of Sheridan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 527 be concurred in.

That Senate Amendment to House Bill No. 524 be concurred in.

That Senate Amendments to Sub. House Bill No. 538 be concurred in.

AASHEIM, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following Senate Amendments to House Bills, having been read, were disposed of in the following manner:

Senate Amendments to House Bill No. 527 were concurred in by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnes, Bradford, Casey, Cerovski, Curry, Emmons, Eskildsen, Fladager, Gill, Glancy, Gunderson, Harball, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loughran, Moudree, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Rindy, Sales, Shea, Sheehy, Strnisha, Wayrynen, Woodring, Mr. Speaker. Total 48.

Noes: Anderson, Bentz, Broeder, Cavan, Elting, Felt, Fjare, Gerard, Haines (Prairie), Hawks, Jardine, Reinecke, Wright. Total 13.

Absent and not voting: Angstman, Barnard, Bashor, Battin, Clowes, Daniels, Devier, DeWolfe, Gilfeather, Gleed, Haines (Missoula), Hanks, Loman, McGaffick, McGarvey, McNally, McOmber, Mernin, Nichols, Paulsen, Schwinden, Tonner, Walton, Wood. Total 24.

Excused: Corcoran, Holecek, Jensen, Langston, Morrison, Regan, Shelden, Sheldon, Wold. Total 9.

Senate Amendment to House Bill No. 524 was concurred in by the following vote:

Ayes: Aasheim, Abel, Anderson, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bentz, Bradford, Broeder, Casey, Cavan, Cerovski, Curry, Elting, Emmons, Eskildsen, Felt, Fjare, Fladager, Gerard, Gill, Glancy, Gleed, Gunderson, Haines (Prairie), Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Kvaalen, Lees, Leuthold, Loman, Loughran, McOmber, Moudree, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Reinecke, Rindy, Sales, Shea, Sheehy, Strnisha, Wayrynen, Woodring, Wright, Mr. Speaker. Total 61.

Noes: None.

Absent and not voting: Angstman, Bashor, Battin, Clowes, Daniels, Devier, DeWolfe, Gilfeather, Haines (Missoula), Hanks, Jardine, McGaffick, McGarvey, McNally, Mernin, Nichols, Paulsen, Schwinden, Tonner, Walton, Wood. Total 21.

Excused: Corcoran, Holecek, Jensen, Langston, Morrison, Regan, Shelden, Sheldon, Wold. Total 9.

Senate Amendments to Sub. House Bill No. 538 were concurred in by the following vote:

Ayes: Aasheim, Abel, Babcock, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Curry, Emmons, Eskildsen, Fladager, Gill, Glancy, Gunderson, Harball, Hawks, Healy, Holding, Higham, Holtz, Howard, Karlberg, Kiff, Kolar, Lees, Leuthold, Loughran, McOmber, Moudree, Nees, Nelstead, Page (Granite), Page (Missoula), Parker, Picard, Powell, Powers, Raundal, Reeder, Rindy, Shea, Sheehy, Strnisha, Wayrynen, Woodring, Mr. Speaker. Total 49.

Noes: Anderson, Broeder, Cavan, Elting, Felt, Fjare, Gerard, Haines (Prairie), Kvaalen, Reinecke, Sales, Wright. Total 12.

Absent and not voting: Angstman, Bashor, Battin, Bentz, Clowes, Daniels, Devier, DeWolfe, Gilfeather, Gleed, Haines (Missoula), Hanks, Jardine, Loman, McGaffick, McGarvey, McNally, Mernin, Nichols, Paulsen, Schwinden, Tonner, Walton, Wood. Total 24.

Excused: Corcoran, Holecek, Jensen, Langston, Morrison, Regan, Shelden, Sheldon, Wold. Total 9.

Cerovski moved that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed.

MESSAGE FROM THE SENATE

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that since the Joint Conference Committee failed to agree on Senate Amendments to House Bill No. 315, the President was requested to appoint a new Conference Committee of three and request that a like House Committee be appointed by the Speaker of the House to confer on House Bill No. 315.

The President appointed the following members to serve on this committee: Groff, chairman; Reardon and Hibbs.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

REPORTS OF CONFERENCE COMMITTEES

To the President of the Senate and the Speaker of the House:

We, the Majority of your Joint Conference Committee appointed to consider Senate Substitute for Substitute House Bill No. 426, respectfully report as follows:

That Senate Substitute for Substitute House Bill No. 426 be amended by adding a new section as follows:

"Section 2. For the period beginning after February 28, 1960, and ending February 28, 1961, 10 cents per animal unit shall be added to the animal unit figure resulting from the formula as described in this act to determine the rental fee for state lands during this period. From and

after February 28, 1961, the formula contained in section 1 shall apply."

That Senate Substitute for Substitute House Bill No. 426 be further amended by renumbering section 2 of the original bill to read section 3.

That Senate Substitute for Substitute House Bill No. 426 be further amended by renumbering section 3 of the original bill to read section 4.

For the Senate: BELEY,
BROWNFIELD,
BRENNER.

For the House: GILL,
KVAALLEN.

Motion was made by Gill for adoption of the Conference Committee report. Motion carried and report adopted by the following vote:

Ayes: Aasheim, Anderson, Babcock, Barrett, Barnard, Barnes, Bashor, Battin, Bentz, Bradford, Broeder, Cavan, Curry, Elting, Felt, Fjare, Gerard, Gill, Glancy, Gleed, Haines (Prairie), Harball, Hawks, Healy, Holding, Higham, Holtz, Karlberg, Kiff, Kolar, Kvaalen, Langston, Lees, Leuthold, Loman, Loughran, McGarvey, Nees, Nelstead, Nichols, Page (Granite), Paulsen, Picard, Raundal, Reeder, Reinecke, Rindy, Sales, Shea, Sheehy, Strnisha, Walton, Woodring, Wright, Mr. Speaker. Total 55.

Noes: Bardanouve, Casey, Cerovski, Daniels, Devier, Emmons, Eskildsen, Gunderson, McOmber, Moudree, Parker, Powers, Tonner. Total 13.

Absent and not voting: Abel, Angstman, Clowes, DeWolfe, Fladager, Gilfeather, Haines (Missoula), Hanks, Howard, Jardine, McGaffick, McNally, Mernin, Page (Missoula), Powell, Schwinden, Wayrynen, Wood. Total 18.

Excused: Corcoran, Holecek, Jensen, Morrison, Regan, Shelden, Sheldon, Wold. Total 8.

To the President of the Senate and the Speaker of the House:

We, your Joint Conference Committee having had under consideration Senate Amendments to House Bill No. 315 respectfully report and recommend as follows:

That the Joint Conference Committee has failed to agree on the Senate Amendments to House Bill 315, and request the President of the Senate and the Speaker of the House of Representatives to appoint a new conference committee on the Senate Amendments to House Bill 315.

For the Senate: RINGLING,
STREETER,
RUANE.

For the House: GILFEATHER,
SCHWINDEN,
NICHOLS.

Motion was made by Cerovski for adoption of the Committee report. Motion carried and report adopted by the following vote:

Ayes: Aasheim, Anderson, Barrett, Barnard, Barnes, Bashor, Bradford, Broeder, Casey, Cerovski, Curry, Devier, Elting, Emmons, Felt, Fjare, Gerard, Gilfeather, Gill, Glancy, Gunderson, Haines (Prairie), Harball, Hawks, Healy, Holding, Higham, Holtz, Jardine, Karlberg, Kiff, Kolar, Kvaalen, Langston, Leuthold, Loman, Loughran, McGarvey, McOmber, Moudree, Nelstead, Nichols, Page (Granite), Parker, Picard,

Powers, Reeder, Reinecke, Rindy, Sales, Schwinden, Sheehy, Strnisha, Tonner, Walton, Woodring, Mr. Speaker. Total 57.

Noes: None.

Absent and not voting: Abel, Angstman, Babcock, Bardanouve, Battin, Bentz, Cavan, Clowes, Daniels, DeWolfe, Eskildsen, Fladager, Gleed, Haines (Missoula), Hanks, Howard, Lees, McGaffick, McNally, Mernin, Nees, Page (Missoula), Paulsen, Powell, Raundal, Shea, Wayrynen, Wood, Wright. Total 29.

Excused: Corcoran, Holecek, Jensen, Morrison, Regan, Sheldon, Sheldon, Wold. Total 8.

CONFERENCE COMMITTEE APPOINTMENT

The Speaker appointed a new Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 315, as follows: Sheehy, Schwinden and Nichols.

MOTIONS AND RESOLUTIONS

The following Resolution was read:

House Resolution No. 16, introduced by Cerovski:

Whereas, the procedure followed by the Montana Legislature in the enrollment of bills is cumbersome, and

Whereas, the size and form of the printed bill used by this Legislature is too large and cumbersome, and

Whereas, the house and senate rules are in conflict.

Now, Therefore, Be It Resolved, that the Legislative Council make a study of the present enrollment practices and recommend changes to the 37th Legislative Assembly, taking into consideration a single enrolling room for both the House and Senate, possible use of justo-writers, and feasibility of printing enrolled bills:

Be It Further Resolved, that the form and size of the printed bills be changed to an 8½ x 11 inch page using 10 point type with lines pica spaced, and that bills be punched with two ring binder holes with binder edge stapled, that there be 26 lines to a page, that said printed bill be similar to that used by the Wisconsin Legislature, that binders be provided with 3 inch backs, leatherette covers and metal hinges;

Be It Further Resolved, that the Legislative Council be instructed to study the procedure followed by the Montana Legislature and the House and Senate rules for the purpose of recommending changes to the 37th Legislative Assembly; that a copy of this Resolution be submitted to the Legislative Council and a copy transmitted to the State Purchasing Department.

Motion was made by Cerovski for adoption of the above Resolution. Motion carried. Resolution adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 317, 171, 415, 412, 439, 91, 532, 221, 215, 255, Senate Sub. for H. B. 381, Sub. 293, 448, 242, Sub. 333, 435, 168, 157, Senate Sub. for H. B. 312, 346, 50, 192, 177, Sub. H. B. 80, 191, 307, Sub. 305, 237, 43, 44, Sub. 358, Senate Sub. for H. B. 107, 437, 167, Senate Sub. for H. B. 31, 535, 197, 254, 118, Sub. 53, 183, H.J.M. No. 7, Sub. 15, 303, H.J.R. No. 4, 32, 248, do hereby report that said bills, together with a copy thereof,

signed by the Speaker of the House and President of the Senate, were this day delivered to the Governor for his approval.

JARDINE, Chairman.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, your Committee on Joint Rules, having had under consideration an amendment to Joint Rule No. 22, respectfully report as follows: That House and Senate Joint Rule No. 22 be amended to read as follows:

"Joint Rule No. 22. Transmission of Bills. No bills transmitted by the House to the Senate after the forty-fifth day nor by the Senate to the House after the forty-second day of the session, and no amendments transmitted by the House to the Senate nor by the Senate to the House after the fifty-fifth day of the session, shall be considered, with the exception of bills considered by Joint Conference Committee. Bills from said committees may be transmitted at any time up to and including the sixtieth day."

CEROVSKI, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Joint Rules, having had under consideration House Bill No. 29, respectfully report as follows: That House and Senate Joint Rule No. 11, which provides that an enrolled bill "have thirty lines of type to the page," be suspended for the purpose of enrolling House Bill No. 29.

CEROVSKI, Chairman.

Report adopted.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 121, 169, 76 and 168.

REPORTS OF CONFERENCE COMMITTEES

To the President of the Senate and the Speaker of the House:

We, the Majority of your Conference Committee of the Senate and House on Senate Amendments to House Bill No. 315, beg leave to report that the Senate recede from Senate Amendments to House Bill 315 and recommend that House Bill 315 be concurred in as transmitted from the House.

For the Senate: GROFF,
HIBBS.

For the House: SCHWINDEN,
SHEEHY.
NICHOLS.

Motion was made by Schwinden that the report of the committee be adopted. Motion carried and report was adopted by the following vote:

Ayes: Aasheim, Bardanouve, Barrett, Barnard, Barnes, Bradford, Casey, Cerovski, Curry, Devier, Emmons, Gilfeather, Gill, Glancy, Gunderson, Harball, Holding, Holtz, Karlberg, Langston, Leuthold, Loughran, McGarvey, McOmber, Moudree, Nees, Nichols, Page (Granite), Parker, Picard, Powers, Raundal, Reeder, Rindy, Schwinden, Shea, Sheehy, Strnisha, Tonner, Woodring, Mr. Speaker. Total 41.

Noes: Anderson, Babcock, Battin, Bentz, Broeder, Cavan, Elting, Felt, Fjare, Fladager, Gerard, Gleed, Haines (Prairie), Hawks, Healy, Higham, Kiff, Kvaalen, Nelstead, Sales, Walton, Wright. Total 22.

Absent and not voting: Abel, Angstman, Bashor, Clowes, Daniels, De-Wolfe, Eskildsen, Haines (Missoula), Hanks, Howard, Jardine, Kolar, Lees, Loman, McGaffick, McNally, Mernin, Page (Missoula), Paulsen, Powell, Reinecke, Wayrynen, Wood. Total 23.

Excused: Corcoran, Holecek, Jensen, Morrison, Regan, Sheldon, Sheldon, Wold. Total 8.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 530, 537, 306, 527.

SCHWINDEN.

I have examined House Bill No. 527, introduced by the Committee on Appropriations and find the same to be correct.

BARNARD, Chairman.

I have examined House Bill No. 537, introduced by the Committee on Appropriations and find the same to be correct.

BARNARD, Chairman.

I have examined House Bill No. 530, introduced by the Chairman of the Committee on Appropriations and find the same to be correct.

BARNARD.

I have examined House Bill No. 306, introduced by Barrett and Hawks and find the same to be correct.

BARRETT.

The Speaker signed the following House Bills in open session, the titles having first been read: House Bills Nos. 527, 537, 530 and 306.

MESSAGE FROM THE SENATE

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended for non-concurrence by the Committee on Finance and Claims, reports adopted, and the bills are herewith returned to the House:

House Bill No. 541 by Glancy et al.

House Bill No. 543 by Langston et al.

Respectfully,

ALFRED R. ANDERSON,
Secretary of the Senate.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed.

MESSAGES FROM THE SENATE

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the

Senate on third reading this day adopted the Joint Conference Committee report on Senate Substitute for Substitute House Bill No. 426.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 536 by Appropriations Committee.

House Bill No. 529 by Chairman of the Appropriations Committee.

Substitute House Bill No. 525 by Committee on Appropriations.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on third reading this day adopted the Joint Conference Committee report on House Bill No. 315.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended for non-concurrence by the Committee on Insurance, report adopted, and the bill is herewith returned to the House:

House Bill No. 542 by Daniels et al.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and the same are herewith returned to the House:

House Bill No. 544 by MacDonald et al.

House Bill No. 533 by Barnard.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day recommended that further action be indefinitely postponed by the Committee of the Whole report, report adopted, and the same is herewith returned to the House:

House Bill No. 526 by Chairman of the Appropriations Committee (by request).

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

March 5, 1959.

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and the same are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 540 by Committee on Appropriations.

House Bill No. 539 by Committee on Appropriations.

House Bill No. 528 by Committee on Appropriations.

Respectfully,
ALFRED R. ANDERSON,
Secretary of the Senate.

CONSIDERATION OF GENERAL ORDERS

Motion was made by Cerovski that the House resolve itself into a Committee of the Whole for the consideration of business under General Orders, under the rules of the previous sitting. Motion carried.

Aasheim of Sheridan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under General Orders, recommend the following:

That Senate Amendments to House Bill No. 540 be concurred in.

That Senate Amendments to House Bill No. 539 be concurred in.

That Senate Amendments to House Bill No. 528 be concurred in.

AASHEIM, Chairman.

Report adopted.

THIRD READING OF HOUSE BILLS

The following Senate Amendments, having been read, were disposed of in the following manner:

Senate Amendments to House Bill No. 540 were concurred in by the following vote:

Ayes: Aasheim, Anderson, Bardanouve, Barrett, Barnard, Barnes, Bashor, Battin, Bradford, Casey, Cerovski, Curry, Devier, Emmons, Eskildsen, Felt, Gerard, Gilfeather, Gunderson, Haines (Prairie), Hawks, Healy, Holding, Higham, Holtz, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold,

Loman, Loughran, McOmber, Nees, Nelstead, Page (Granite), Picard, Powell, Powers, Raundal, Reeder, Rindy, Sales, Schwinden, Shea, Sheehy, Strnisha, Tonner, Woodring, Mr. Speaker. Total 51.

Noes: Broeder, Cavan, Elting, Gleed, Moudree, Reinecke, Wright. Total 7.

Absent and not voting: Abel, Angstman, Babcock, Bentz, Clowes, Daniels, DeWolfe, Fjare, Fladager, Gill, Glancy, Haines (Missoula), Hanks, Harball, Howard, Jardine, Kvaalen, McGaffick, McGarvey, McNally, Mer-nin, Nichols, Page (Missoula), Parker, Paulsen, Walton, Wayrynen, Wood. Total 28.

Excused: Corcoran, Holecek, Jensen, Morrison, Regan, Shelden, Shel-don, Wold. Total 8.

Senate Amendments to House Bill No. 539 were concurred in by the following vote:

Ayes: Aasheim, Bardanouve, Barrett, Barnard, Barnes, Bashor, Brad-ford, Casey, Cerovski, Curry, Devier, Emmons, Eskildsen, Gilfeather, Gun-derson, Hawks, Healy, Holding, Higham, Holtz, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loughran, McOmber, Moudree, Nees, Page (Granite), Picard, Powell, Powers, Raundal, Reeder, Rindy, Sales, Schwin-den, Shea, Sheehy, Strnisha, Walton, Woodring, Wright. Total 45.

Noes: Anderson, Battin, Broeder, Cavan, Elting, Felt, Gerard, Gleed, Haines (Prairie), Loman, Nelstead, Reinecke. Total 12.

Absent and not voting: Abel, Angstman, Babcock, Bentz, Clowes, Daniels, DeWolfe, Fjare, Fladager, Gill, Glancy, Haines (Missoula), Hanks, Harball, Howard, Jardine, Kvaalen, McGaffick, McGarvey, McNally, Mer-nin, Nichols, Page (Missoula), Parker, Paulsen, Tonner, Wayrynen, Wood, Mr. Speaker. Total 29.

Excused: Corcoran, Holecek, Jensen, Morrison, Shelden, Sheldon, Wold, Regan. Total 8.

Senate Amendments to House Bill No. 528 were concurred in by the following vote:

Ayes: Aasheim, Barrett, Barnard, Barnes, Bashor, Bradford, Casey, Cerovski, Curry, Devier, Eskildsen, Felt, Gilfeather, Gunderson, Healy, Higham, Holtz, Karlberg, Kiff, Kolar, Langston, Lees, Leuthold, Loughran, McOmber, Moudree, Nees, Picard, Reeder, Rindy, Schwinden, Shea, Sheehy, Strnisha, Tonner, Walton, Woodring, Wright, Mr. Speaker. Total 39.

Noes: Anderson, Bardanouve, Battin, Broeder, Cavan, Elting, Emmons, Gerard, Gleed, Haines (Prairie), Hawks, Holding, Loman, Nelstead, Page (Granite), Powell, Powers, Raundal, Reinecke, Sales. Total 20.

Absent and not voting: Abel, Angstman, Babcock, Bentz, Clowes, Daniels, DeWolfe, Fjare, Fladager, Gill, Glancy, Haines (Missoula), Hanks, Harball, Howard, Jardine, Kvaalen, McGaffick, McGarvey, McNally, Mer-nin, Nichols, Page (Missoula), Parker, Paulsen, Wayrynen, Wood. Total 27.

Excused: Corcoran, Holecek, Jensen, Morrison, Regan, Shelden, Shel-don, Wold. Total 8.

Motion was made by Cerovski that the House recess subject to the Call of the Chair. Motion carried.

House recessed.

House resumed.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report the following bills correctly enrolled: House Bills Nos. 315, 533, 540, 539, 528, 536, 170, 524, 529, 544, 290, 424, 29, Sub. for Sub. H. B. 426, Sub. 525, Sub. 538, Sub. 455.

I have examined House Bill No. 540, introduced by the Committee on Appropriations and find the same to be correct.

BARNARD, Chairman.

I have examined House Bill No. 29, introduced by the Committee on Banking and Insurance and find the same to be correct.

CEROVSKI.

I have examined House Bill No. 424, introduced by Wood, Barnard and Howard and find the same to be correct.

BARNARD.

I have examined Senate Sub. for Sub. H. B. 426, introduced by the Public Lands Committee and find the same to be correct.

BARDANOUE.

I have examined Sub. House Bill No. 525, introduced by the Committee on Appropriations and find the same to be correct.

BARNARD, Chairman.

I have examined Sub. House Bill No. 538, introduced by the Committee on Appropriations and find the same to be correct.

BARNARD, Chairman.

I have examined House Bill No. 455, introduced by the Committee on Appropriations and find the same to be correct.

BARNARD, Chairman.

I have examined House Bill No. 529, introduced by the Chairman of the Appropriations Committee and find the same to be correct.

BARNARD.

I have examined House Bill No. 533, introduced by Barnard and find the same to be correct.

BARNARD.

I have examined House Bill No. 524, introduced by the Committee on Appropriations and find the same to be correct.

BARNARD, Chairman.

I have examined House Bill No. 170, introduced by McGarvey et al and find the same to be correct.

McGARVEY.

I have examined House Bill No. 544, introduced by MacDonald et al and find the same to be correct.

MacDONALD.

I have examined House Bill No. 536, introduced by the Committee on Appropriations and find the same to be correct.

BARNARD, Chairman.

I have examined House Bill No. 290, introduced by Daniels and find the same to be correct.

DANIELS.

I have examined House Bill No. 315, introduced by Schwinden et al and find the same to be correct.

SCHWINDEN.

I have examined House Bill No. 528, introduced by the Committee on Appropriations and find the same to be correct.

BARNARD, Chairman.

I have examined House Bill No. 539, introduced by the Committee on Appropriations and find the same to be correct.

DEVIER.

The Speaker signed the following bills in open session, the titles having first been read: House Bills Nos. 315, 533, 540, 539, 536, 170, 524, 529, 544, 290, 424, 29, 528, Senate Sub. for Sub. H. B. 426, Sub. H. B. 525, Sub. H. B. 538, Sub. H. B. 455.

MOTIONS AND RESOLUTIONS

Motion was made by Daniels that the House Journal show that House Bill No. 29 was signed by the Speaker on March 9th. Paulsen rose on a point of order that all business done this day was done as of the Sixtieth Legislative Day. The Speaker sustained the point of order.

Motion was made by Cerovski that the Governor be requested to return House Bill No. 197 for transmittal by the House to the Secretary of State. Motion carried.

Motion was made by Cerovski that the Governor be requested to return House Bill No. 43 to the House for transmittal to the Secretary of State. Motion carried.

Motion was made by Cerovski that the Chief Clerk be authorized to have a final status of all House Bills printed and delivered to the House members. Motion carried.

Motion was made by Cerovski that a committee of five members of the House be appointed by the Speaker to notify His Excellency, the Governor, that the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana, having completed its business, is about to adjourn sine die. Motion carried.

The Speaker thereupon appointed the following committee to notify the Governor: Daniels, chairman; Jardine, Devier, Leuthold and Sales.

Motion was made by Cerovski that a committee of five members be appointed by the Speaker to notify the Honorable Senate that the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana, having completed its business, is about to adjourn sine die. Motion carried.

The Speaker appointed the following committee to notify the Senate: Parker, chairman; Holtz, Casey, Elting and Walton.

MESSAGE FROM THE GOVERNOR

March 5, 1959.

Honorable John J. MacDonald,
Speaker of the House of Representatives,
Helena, Montana.

Dear Sir:

At the request of the Chief Clerk of the House of Representatives, I am herewith returning House Bill 197 and House Bill 43.

These bills were sent to my office under erroneous procedure as the Attorney General of the State of Montana had ruled that bills for constitutional amendments need not be submitted to the Governor for his approval.

Very truly yours,
J. HUGO ARONSON, Governor.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 539, 528, 540, 315, 290, 536, 544, 170, 533, 524, 529, Sub. 455, Sub. 538, 424, Sub. 525, Senate Sub. for Sub. H. B. 426, and 29, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 34, 103, 155, 249 and H.J.R. No. 3, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day delivered to the Governor for his approval.

JARDINE, Chairman.

Mr. Speaker: We, your Committee on Journal, having examined the Journal for the Sixtieth Legislative Day, find the same to be correct.

CEROVSKI.

A committee was received from the Senate which notified the House that the Senate, having completed its business, was ready to adjourn sine die.

The House committee appointed to notify the Governor that the House was ready to adjourn returned to report that the message had been delivered, and that the Governor expressed his appreciation. The Speaker thanked the committee and it was discharged.

The House committee appointed to notify the Senate that the House was ready to adjourn returned to report that the message had been delivered, and that the Senate sent their thanks to the House for the harmonious manner in which the members have worked with that body. The Speaker thanked the committee and it was discharged.

It was moved by Cerovski that the House of Representatives of the Thirty-sixth Legislative Assembly of the State of Montana now stand adjourned sine die. Motion carried.

House adjourned sine die.

JOHN J. MacDONALD,
Speaker.

ALLEN DONOHUE,
Chief Clerk.

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